

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

January 7, 1987

PUBLIC NOTICE

SUBJECT: Notice of POST Commission Committee Meetings

In accordance with the Open Meeting Laws of the State of California, you are hereby notified of the following POST Commission Committee meetings to be held at:

Hyatt Islandia
1441 Quivira Road
San Diego, California
(619) 224-1234

Wednesday, January 21, 1987 - 1:30 p.m. - Dolphin Room

The Ad Hoc Command College Committee will consider the issue of which law enforcement groups should be permitted acceptance into the POST Command College

Wednesday, January 21, 1987 - 2:30 p.m. - Dolphin Room

The Long Range Planning Committee of the POST Commission will meet to discuss:

1. Receiving POST Field Needs Survey input relating to professional certification and review of the certification program.
2. Report on the results of the Management Simulator Gaming RFP.
3. Review and receipt of the Long Range Driver Training Plan.
4. Progress report on Specialized Training Facilities and Equipment Study.
5. Temporary or Part-Time Police Standards and Training.
6. Review of Advisory Committee recommendation to contract for a POST Management Fellow to review substance abuse by law enforcement personnel.

Thursday, January 22, 1987 - 9:00 a.m. - Seagull Room

The Legislative Review Committee will consider legislation affecting POST that has been introduced in the new session.

If you desire further information, please contact Vera Roff at (916) 739-3864.

NORMAN C. BOEHM
Executive Director

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

COMMISSION MEETING AGENDA

January 22, 1987

10:00 a.m.

Hyatt Islandia

1441 Quivira Road

Regency "A" Room

San Diego, California

(619) 224-1234

CALL TO ORDER

FLAG SALUTE

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

PRESENTATION OF RESOLUTION TO FORMER POST MANAGEMENT FELLOW LOUIS TROVATO

APPROVAL OF MINUTES

- A. Approval of the minutes of the October 23, 1986 regular Commission meeting at Griswold's Inn in Claremont.

CONSENT CALENDAR

B.1. Receiving Course Certification Report

Since the October meeting, there have been 35 new certifications and one decertification. In approving the Consent Calendar, your Honorable Commission takes official note of the report.

B.2. Receiving Financial Report - Second Quarter FY 1986/87

The second quarter financial report will be provided at the meeting for information purposes. In approving the Consent Calendar, your Honorable Commission receives the report.

B.3. Receiving Information on New Entry Into POST Specialized Program

The Ventura County Public Social Services Agency has met the Commission's requirements and has been accepted into the Specialized Law Enforcement Program. In approving the Consent Calendar, your Honorable Commission receives the report.

PUBLIC HEARING

C. Receiving Testimony on the Proposal To Allow Reimbursement for Civilian Managers in Reimbursable Law Enforcement Departments Attending the Executive Development Course

At its October 1986 meeting, the Commission received a report and approved a public hearing to consider proposed changes to Commission Regulation 1014, Training for Non-Sworn Personnel, and to amend Procedure E-1-3 and Procedure E-1-4.

The proposed changes in Commission Regulations and Procedures would allow POST to reimburse agencies for satisfactory completion of the 80-hour Executive Development Course by non-sworn senior managers. These changes would include the requirement that the non-sworn managers complete the POST 80 hour Management Course prior to being approved for attendance at the Executive Development Course. The preponderance of written responses to date has been in favor of the proposal. These, along with any comments in opposition, will be reviewed as part of the hearing process.

At the conclusion of public testimony, the Commission may proceed with the changes, adopt them with changes that are sufficiently related, reject them, or continue action to a future meeting. If it is the Commission's desire to make the proposed changes, the appropriate action would be a MOTION to proceed to approve the revisions to Commission Regulation 1014, Training for Non-Sworn Personnel, and Procedure E-1-3; and amend and add new language to Procedure E-1-4. The effective date would be upon approval of hearing procedures by the Office of Administrative Law.

REQUEST

D. Waiver of 270 Day Limit on Acceptance of Medical and Psychological Examinations - Request by Sacramento Police Department

Commission Regulations (Procedure C-2-2) currently provide that medical and psychological examinations must occur within 270 days of appointment as a peace officer. That time period allows for completion of basic training after the screening exams and prior to appointment to a peace officer position.

The Sacramento Police Department has requested that the time limit be waived in instances where the screening exams preceded initial appointment to a paraprofessional position and the individual is subsequently appointed to a peace officer position by the same employer. For many years, the Sacramento Police Department has employed non-peace officer Community Service Officers (CSOs) who may within 1 to 3 years after hire be appointed to police officer positions. At its volition, the Sacramento Police Department screened CSOs in accordance with all peace officer selection standards. The department prefers not to repeat the medical and psychological exams when CSOs are considered for police officer appointment.

Because CSOs are not peace officers and in view of possible medical or psychological changes between appointment as CSO and appointment as peace officer along with the statewide implications of the request, there are some concerns which are addressed in the analysis included in the report under this tab. A representative of the Sacramento Police Department is planning on being at the meeting to present the department's concerns.

If the Commission desires to hold to present policy, an affirmation would be appropriate. If the Commission wishes to grant the waiver request, a public hearing would be required to modify Procedure C.2. A MOTION expressing Commission direction would be in order.

TRAINING PROGRAM SERVICES

E. Basic Course Pre-Employment Academy Evaluation Report - Recommendation to Remove Sunset from Southwestern and Napa College Academies

This report summarizes results of a three year staff study of stand alone pre-employment, extended format academies. In July, 1983, the Commission received three requests for extended format basic courses at community colleges not already certified as intensive format presenters. At its January 1984 meeting, the Commission received a staff report concluding that though there were reservations about the need to increase the number of presenters, sufficiently compelling reasons to deny pending certifications on a pilot basis did not seem apparent. The Commission authorized three pilot presenters, and directed staff to study the effects of certifying the pilot presenters on the basic training delivery system over a three year period. Only Napa Valley College and Southwestern College were certified as pilot extended format academies.

Specific performance data is included under the tab. On balance, it is recommended that the Commission remove the Sunset Clause and allow these Extended Format Academies to continue, subject to the normal POST evaluation processes in the future.

If the Commission concurs, the appropriate MOTION would be to remove the certification sunset for the pilot extended format academies and continue certification subject to the annual POST re-certification process.

F. Recommendation to Approve a Marketing Agreement with Comsell for the Computer/Video Interactive PC 832 Course

As directed by the Commission at its April 1986 meeting, this item concerns a proposal for POST to contract with Comsell, Inc. of Atlanta, Georgia to market and distribute the computer-assisted interactive video instruction (CAIVI) program being developed for the required P.C. 832 training. As Commissioners will recall, the Commission at its October 1985 meeting approved a \$250,000 contract for Reflectone Media Systems/Comsell to perform the developmental work. Because of the potential for national marketing, the Commission authorized drafting a contract granting Comsell sole distribution rights with a royalty to POST.

Under the agreement POST grants to Comsell sole marketing and distribution rights outside of California to provide master video disc, software and source materials relating to the program. In return, Comsell agrees to use its best efforts to sell, promote, market and distribute the program and to make quarterly payments to POST of 12% for all gross sales, leases and rentals of the program. The agreement would be for a term of three years so that both parties can determine if the agreement is satisfactory.

Subject to Commission and Department of Finance concurrence, monies derived from this agreement would be deposited in a separate fund to be used by POST to maintain this program, replicate and distribute it in California and develop other training programs using high technology. This agreement has been reviewed by legal counsel in the Attorney General's office.

If the Commission concurs, the appropriate MOTION would be to authorize the Executive Director to sign a contract with Comsell, Inc. to market and distribute the CAIVI program on PC 832 training. ROLL CALL VOTE

G. Recommendation to Modify Basic Course Curriculum Re: Chemical Agents

As part of POST's continuing efforts to maintain currency of the Basic Course curriculum, proposed changes are brought before the Commission from time to time. The following proposed changes are the result of a curriculum/instructor update seminar conducted with Basic Course subject-matter experts.

It is proposed to change Learning Goal 7.20.0 (Chemical Agent Simulation) by deleting one performance objective to eliminate redundancy. It is also proposed to add a new performance objective requiring that students be exposed to the effects of chemical agents. This is currently only suggested, but all academies are in fact doing it for two reasons: to lessen the chances of panic in an actual situation and to help heighten officers sensitivity by understanding first hand the effect chemical agents have on people.

If the Commission concurs, the appropriate action would be a MOTION to approve these changes to become effective April 1, 1987.

H. Recommendation to Increase Basic Course Waiver Skills Test Fee

With the inclusion of manipulative skills testing as part of the Basic Course Waiver Testing Process in January, 1986, the Commission approved a \$200 fee for this five-hour test. This test, which measures critical skills (including use of weapons and defense tactics), supplements the two hour comprehensive written exam and evaluation of previous training. Two POST BCW Skills Testing Centers, one North and one South, have been established to conduct this testing under contract with POST. The \$200 fee is based on costs of evaluators, coordination, role-players, clerical, equipment and miscellaneous supplies and services.

When the fee was initially established, costs could only be estimated because the unknown volume of test candidates would have an impact upon costs. The more candidates being tested, the lower the cost per candidate. The anticipated number of skill test applicants has been fewer than expected. Each Testing Center averaged three candidates per monthly testing date. The result after one year experience has been that the cost per candidate has exceeded \$300.

If the Commission concurs, the appropriate MOTION would be to approve a Basic Course Waiver Skills Test Fee increase from \$200 to \$300.

TRAINING DELIVERY

I. Recommendation to Continue Extended Format Basic Course Feeder System

The Basic Course Feeder System is a multi-institution approach to presenting the Basic Course in extended format. Graduates of the Level I Reserve Officer Course are considered to have completed Phase I of the Basic Course and are allowed to enter an in-progress extended format basic course to complete Phase II. The approach requires sequencing of instruction between two presenters. The advantage is that individuals who wish to complete the Basic Course after completion of a reserve course are able to do so without repeating 200-plus hours of instruction.

At its April 1985 meeting, the Commission approved continuation of a pilot involving Fullerton and Golden West Community Colleges, and a new pilot with Grossmont and Southwestern Community Colleges. The Commission directed that staff evaluate the pilot programs and report back.

Both programs have operated under guidelines established by the Commission. Evaluations have been completed and favorable results suggest that the programs should be continued.

If the Commission concurs, appropriate action would be a MOTION to remove the pilot status and allow the programs to continue.

EXECUTIVE OFFICE

J. Recommendation to Approve Report of Legislature Regarding Peace Officer Killing Study

Assembly Bill 1911 (Chapter 881 of 1985) directed POST to study the circumstances surrounding peace officer killings, develop guidelines for optional use of law enforcement agencies, and revise basic course curriculum as indicated by the study. A report back to the Legislature is required. Approval of the study is on the agenda for Commission review prior to submittal to the Legislature. The report is being finalized and will be distributed prior to the Commission meeting under separate cover.

An appropriate action would be a MOTION to approve the report and authorize its submittal to the Legislature. Follow up activities, including recommended modifications in training requirements and recommended guidelines to departments will proceed upon approval by the Commission.

COMMITTEE REPORTS

K. Finance Committee

At each January meeting, the Commission receives a report on major training and administrative contracts planned for the upcoming fiscal year. Information regarding these contracts is presented in order to obtain the Commission's approval to negotiate and return the proposed contracts for final approval at the April 1987 meeting. The Finance Committee has reviewed these proposals and recommends approval for the Executive Director to negotiate the contracts. The Committee's final report and recommendation will be provided when contracts are brought back for action in April.

If the Commission concurs, the appropriate action would be a MOTION approving the Finance Committee's recommendations as outlined below.

Proposed contracts to be negotiated for Fiscal Year 1987/88:

1. Management Course

This course is currently budgeted at \$297,289.00 for 22 presentations by 5 presenters:

- California State University - Humboldt
- California State University - Long Beach
- California State University - Northridge
- California State University - San Jose
- San Diego Regional Training Center

Course costs are consistent with Commission guidelines, and performance by all five presenters has been satisfactory. Staff anticipates some increases over FY 1986/87 due to increased costs for instructors, coordination, facilities, and materials, although no additional presenters are planned for FY 1987/88.

2. Executive Development Course

This course is currently presented by California State Polytechnic University, Pomona, at a cost of \$70,270.00 for five presentations. Course costs are consistent with POST guidelines, and the performance of the presenter has been satisfactory. Staff anticipates some increases over FY 1986/87 expenses due to increased costs for instructors, coordination, facilities, and materials which may be allowable by tuition guidelines. Upon approval, a new contract will be negotiated for FY 1987/88.

3. San Diego Regional Training Center - Support of Command College and Executive Training

The San Diego Regional Training Center serves as the chief contractor for a variety of training activities of the Commission conducted by the Center for Executive Development. Curriculum development as well as instructional and evaluation costs for these training activities for FY 1986/87 came to \$343,287.00. Upon authorization, a new contract will be negotiated for FY 1987/88.

4. Department of Justice - Training Center

The Department of Justice, Advanced Training Center, provides courses in the areas of special expertise of the Department of Justice. The training has been provided for almost a dozen years now under contract with POST. In FY 1987/88 Department of Justice will provide training in 26 technical courses. There will be a total of 199 separate presentations. The total cost is projected not to exceed \$775,000 through an interagency Agreement with Department of Justice. Fiscal Year 1986/87 cost amounted to \$733,000.

5. Cooperative Personnel Services - Basic Course Proficiency Test

Cooperative Personnel Services (CPS) has administered the Basic Course Proficiency Test for POST for the past six years. CPS has demonstrated the ability to effectively administer this test at a cost that is lower than the cost would be for POST staff to administer and proctor the examinations.

The current year contract is for \$23,773. The proposed contract for FY 1987/88 is expected to be no more than \$29,000, and assumes a 15% increase in the number of graduating classes, as well as an average 7% increase in labor costs.

6. POST Entry-Level Reading and Writing

For each of the last three years, POST has contracted with Cooperative Personnel Services (CPS) and the State Personnel Board (SPB) to administer the POST entry-level reading and writing testing program. (The tests are made available free-of-charge to local agencies for screening purposes.) In addition, the same contractors have been used to administer the tests to all entering basic recruits for a six-month period to allow for evaluation of the impact of POST's reading and writing requirement. The overall quality and level of services provided by CPS and SPB over the years has been quite good.

Use of the tests by local agencies has increased steadily from year to year. POST's contracts for FY 85-86 totaled \$111,064. Current fiscal year contracts total \$157,673. The proposed contracts for FY 87/88 are expected to total no more than \$185,000. This estimate assumes a 15% increase in local agency use of the tests and an average labor cost increase of 7%.

7. State Controller's Office - Agreement for Auditing Services

Each year the Commission on Peace Officer Standards and Training has negotiated an Interagency Agreement with the State Controller's Office to conduct audits of selected local jurisdictions which receive POST reimbursement funds. The Commission approved an agreement not to exceed \$80,000 for the current fiscal year.

Approval is requested to negotiate a similar but slightly higher agreement not to exceed \$85,000 for Fiscal Year 1987/88.

8. Computer Services Contract - Four-Phase Systems, Inc.

The maintenance contract for the Four Phase equipment is currently \$22,812.00 per year. The maintenance costs for 1987/88 are projected to be no more than 10% over the current year for a maximum amount of \$25,092.20.

Approval is requested to negotiate a new maintenance contract for Fiscal Year 1987/88.

9. Computer Services Contract - Teale Data Center

POST has an Interagency Agreement with Teale Data Center (a state agency) for the current fiscal year in the amount of \$89,000. The agreement provides a computer link between POST's computer and the Data Center. This allows POST staff to use the Center's mainframe computer for complex jobs and the storage of large data files that are beyond the capacity of the Four Phase processor at POST.

It is proposed that authority be given to the Executive Director to negotiate an agreement with the Teale Data Center for Fiscal Year 1987/88 for an amount similar to the current year's cost.

L. Field Needs Survey Committee

Commissioner Maghakian, Chairman of the Field Needs Survey Committee, will report on the results of the Committee meeting of January 19, 1987 in San Jose.

M. Long-Range Planning Committee

Commissioner Wilson, Chairman of the Long-Range Planning Committee, will report on the results of the Committee meeting of January 21, 1987 in San Diego.

N. Legislative Review Committee

Commissioner Block, Chairman of the Commission's Legislative Review Committee, will report on the results of the Committee meeting of January 22, 1987 in San Diego.

O. Ad Hoc Committee on Command College

Commissioner Grande, Chairman of the Ad Hoc Committee on Command College, will report on the results of the Committee meeting of January 21, 1987 in San Diego.

P. Advisory Committee

Carolyn Owens, Chair of the POST Advisory Committee, will report on the results of the January 21, 1987 meeting in San Diego.

OLD/NEW BUSINESS

Q. Correspondence

Letter from California State Department of Education regarding POST reading and writing test data.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

April 23, 1987, Sacramento Hilton Hotel, Sacramento
July 23, 1987, Bahia Hotel, San Diego
October 23, 1987, San Francisco Bay Area, Tentatively Scheduled for the
Hilton Hotel, Concord
January 22, 1988, San Diego (To be Determined)

RECESS TO EXECUTIVE SESSION

San Francisco Patrol Special Officers Versus POST

The Commission will adjourn to executive session which, in accordance with Section 11126(q) of the Government Code, will be closed to the public. The purpose of the executive session is to discuss a legal action which has been filed by the San Francisco Patrol Special Police Officers Association.

RETURN FROM RECESS

ADJOURNMENT



1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION MEETING MINUTES
October 23, 1986
Griswold's Inn
Claremont, California

The meeting was called to order at 10:00 a.m. by Chairman Wilson.

Commissioner John Van de Kamp led the salute to the flag.

ROLL CALL OF COMMISSION MEMBERS

A calling of the roll indicated a quorum was present.

Commissioners Present:

B. Gale Wilson
Robert Wasserman
Sherman Block
Glenn Dyer
Carm Grande
Edward Maghakian
Raquel Montenegro
C. Alex Pantaleoni
Robert Vernon
John K. Van de Kamp, Attorney General

Commissioners Absent:

Cecil Hicks
Charles B. Ussery

Also Present:

Michael Sadleir, Chairman, POST Advisory Committee

Staff Present:

Norman C. Boehm	- Executive Director
Glen Fine	- Deputy Executive Director
Dave Allan	- Bureau Chief, Compliance & Certificate Services
Michael DiMiceli	- Bureau Chief, Management Counseling Services
Ted Morton	- Bureau Chief, Center for Executive Development
Otto Saltenberger	- Bureau Chief, Administrative Services
Harold Snow	- Bureau Chief, Training Program Services
George Williams	- Bureau Chief, Information Services
Vera Roff	- Executive Secretary

POST Advisory Committee Members Present:

Don Brown
Gary Wiley

Visitor's Roster

Les Conner, San Diego Marshal's Office
Robert Crumpacker, San Bernardino Marshal's Office
Tom Hood, Berkeley Police Department
Commander Richard Klapp, San Francisco Police Department
Carmine Lanza, Baldwin Park Police Department
Bill Martin, Downey Police Department
Corinne Murphy, Attorney General's Office
I. F. Patino, Golden West College
Norm Phillips, South Gate Police Department
John Schmidt, San Diego Marshal's Office
Austin Smith, Golden West College
Wes Stearns, La Verne Police Department
David Snowden, Baldwin Park Police Department
Richard Tefank, Pomona Police Department
Bill Tubbs, Monrovia Police Department
Patrick Tyrrell, Riverside County Marshal's Office
Shelby Worley, Riverside Sheriff's Office

SPECIAL PRESENTATIONS

Chairman Wilson presented a resolution to Sergeant Thomas Hood, Berkeley Police Department, for his service as a POST Management Fellow in updating the Guidelines and Curriculum for Investigation of Child Abuse, Neglect and Sexual Exploitation of Children, as well as updating Guidelines on General Sexual Assault.

Chairman Wilson presented a plaque to retiring Commissioner Glenn Dyer and announced a similar award for Charles B. Ussery (to be presented at a future date) and thanked them for their contributions to POST.

A. Approval of Minutes of July 24, 1986 Commission Meeting

MOTION - Wasserman, second - Grande, carried unanimously for approval of the minutes of the July 24, 1986 regular Commission meeting at the San Diego Hilton Hotel in San Diego.

B. Approval of Consent Calendar

MOTION - Pantaleoni, second - Montenegro, carried to approve the following Consent Calendar. (Wasserman abstained on item #5 under B.1.)

B.1. Receiving Course Certification Report

Since the July meeting, there have been 29 new course certifications and 20 decertifications.

B.2. Approving Resolution for Former Commissioner Art McKenzie

A resolution was approved commending former POST Commissioner, Chief Arthur R. McKenzie (Retired) for his past service to the law enforcement community.

B.3. Approving Resolution Commending Advisory Committee Member Ben Clark

A resolution was approved recognizing the services of Ben Clark as both a POST Commissioner and as a member of the POST Advisory Committee during his thirty-six years of service to California Law Enforcement.

B.4. Approving Resolution Commending Management Fellow Louis Trovato

A resolution was approved commending Lieutenant Louis Trovato of the Los Angeles Police Department for his service as a POST Management Fellow. Lieutenant Trovato successfully concluded research into a Shoot/No-Shoot Firearms Training Simulator.

B.5. Approving Resolution Commending Management Fellow Andrea Hop

A resolution was approved commending Andrea Hop, Records Manager of the Walnut Creek Police Department, for her service as a POST Management Fellow. Ms. Hop planned and coordinated the development of a comprehensive law enforcement records management manual.

B.6. Receiving Information on New Entry Into POST Specialized Program

The California Department of Corporations has met the requirements and has been accepted into the Specialized Law Enforcement Program.

B.7. Affirming Commission Policies Set by Actions at July 1986 Commission Meeting

Consistent with Commission instructions, statements of policy made at a Commission meeting are to be submitted for affirmation by the Commission at the next meeting. In approving the Consent Calendar, the Commission affirmed policy concerning admittance guidelines for the Command College, and policy regarding granting of Commission recognition of retiring law enforcement officials.

B.8. Receiving Financial Report - First Quarter FY 1986/87

This report provided financial information relative to the local assistance budget through June 30, 1986. The report was presented and accepted and is on file at POST headquarters.

C. Request for Reimbursement of Civilian Employees Attending the Executive Development Course

The Commission received a request from the Los Angeles Police Department for consideration of a policy change to allow reimbursement for civilian managers attending the Executive Development Course.

Staff reported that the Executive Development Course curriculum consists of five major subject areas: (1) Leadership and Management; (2) Organization and Development; (3) Legal Responsibilities; (4) Communications; and (5) Contemporary Issues. All of the learning goals would be useful for non-sworn managers who are in positions of managing other managers (second level of management). Based upon experience with the Management Course, there should be a low volume of non-sworn managers asking for approval to attend. The 85/86 Fiscal Year average reimbursement for the Executive Development Course was \$860.35. It is anticipated that no more than ten non-sworn managers would be reimbursed for the Executive Development Course, per year, at a total cost of \$8,604. Non-sworn employees, if approved for reimbursement should meet the same requirements as regular officers. Therefore, the Management Course should be successfully completed before attendance of the Executive Development Course.

Because Commission Procedure E-1-4a is incorporated by reference into Commission Regulations, a public hearing would be required prior to revision of this procedure.

Commissioner Block pointed out that with the increased movement of civilians into traditionally sworn positions, it would be in the best interest of law enforcement to provide the best possible training available.

MOTION - Van de Kamp, second - Wasserman, carried unanimously to schedule a public hearing during the January 1987 meeting to consider a policy change in regulations to allow reimbursement for civilian managers attending the Executive Development Course.

D. Request from Los Angeles County District Attorney for Waiver of Psychological Screening and Medical Evaluation Requirements

The District Attorney of Los Angeles has requested that the Commission waive selection standards requiring medical and psychological examinations when peace officers change employment between the District Attorney's, Marshal's and Sheriff's Departments of Los Angeles County.

Staff reported that POST policy has been that transfers or employment changes between agencies within a governmental jurisdiction are instances of lateral entry covered by Commission Regulation 1002(b) and, as such, all minimum standards of selection required by Regulation 1002(a) apply. Such movement of personnel is typical between the offices of sheriff, coroner,

district attorney, or marshal within the 42 counties in which multiple agencies subscribe to POST standards and the 22 agencies of state government within the POST programs. These agencies include regular and specialized departments with varying training requirements which may or may not necessitate additional training prior to or during appointment to the new agency.

Separate law enforcement agencies are considered individually for participation in the POST program, and each of the three agencies concerned within Los Angeles County have separate and distinct training requirements.

Each of the three Los Angeles County agencies in question employ peace officers for different law enforcement jobs. There are three separate appointing powers. The different nature of the job could bring about different employment decisions on the same individual based upon psychological and medical factors.

The Long Range Planning Committee discussed this issue at length at its October 22 meeting and consensus was that the request should be denied.

MOTION - Grande, second- Maghakian, carried unanimously to continue the current policy requiring medical and psychological exams when peace officers transfer between separate agencies within the same unit of government and, therefore, to deny the request for a waiver from the Los Angeles County District Attorney for a waiver.

E. Modifications to Bailiff/Civil Process Course

Staff reported that representatives of California's marshals have requested that the 80-hour Bailiff/Civil Process Course be presented as either an intact 80-hour course or as two 40-hour courses. The 80-hour course is presented infrequently and at only one location. The proposal would permit two 40-hour courses (Civil Process Course, and the Bailiff and Court Security Course) to be presented at additional locations and more frequently, thus permitting marshals' personnel the opportunity to more readily satisfy the POST basic training requirement.

Staff proposed to modify Commission Procedure D-1-5 to permit satisfaction of the requirement either as an intact 80-hour Bailiff and Civil Process Course or completion of two 40-hour courses - Bailiff and Court Security Course, and Civil Process Course.

The revisions will be submitted to OAL for approval as technical changes "without regulatory effect". This is a procedure that does not require a public hearing.

MOTION - Dyer, second - Montenegro, carried unanimously to approve changes to Commission Procedures D-1-5 to permit the 80-hour Bailiff and Court Security Course and the Civil Process Course requirements for marshals and deputy marshals to be satisfied either as a single intact course or as two separate 40-hour courses, effective upon approval procedures described in the Administrative Procedures Act.

F. Policy on Driver Training Tuition

Since 1980 POST has authorized a tuition for driver training as part of the Basic Course. The Commission has set the maximum tuition at \$367, of which \$310 is POST reimbursable. Each academy must submit and have a POST approved budget for actual costs not to exceed \$367.

In 1984, AB IXX and AB 2808 were enacted which created major reforms in the community college fee structure. Numerous miscellaneous student fees were abolished in lieu of a flat \$50 per semester fee for full-time students and a reduced rate for part-time students.

The law has created substantial confusion and concern regarding the charging of tuition for driver training presented by community colleges. Some colleges intend to present the driver training portion of the Basic Course as a separate offering outside the ADA funded basic course. Where this is done, the ADA "buy in" aspect of current tuition policy would be non-applicable.

Because tuition determinations will have to be made on a case by case basis, staff proposed that the Executive Director be authorized to adjust tuition rates as needed in the same fashion as for other courses.

Most of the academies have elected to continue this training as part of the ADA generating basic course either charging no fees or charging the employing agency; therefore, no substantial fiscal impact is anticipated. Commissioner Van de Kamp suggested that a report be presented on an annual basis to keep Commissioners informed of any significant developments.

MOTION - Block, second - Wasserman, carried unanimously to authorize the Executive Director to review driver training course certification applications on a case by case basis and set tuition as with other tuition courses, and to report the results to the Commission on an annual basis.

G. Authorizing of Report to Legislature Regarding Peace Officer Killing Study

AB 1911 (Statutes of 1986, Chapter 881) directed POST to conduct a Peace Officer Killing Study and submit a report to the Legislature by December 31, 1986. The study is still in progress and the analytical phase is delayed pending completion of the survey work. It is anticipated that a preliminary report can be forwarded to the Legislature by the due date and that a final draft will be ready for Commission review at the January 1987 meeting.

Staff proposed that an ad hoc committee be appointed to review and approve the preliminary report prior to the December 31, 1986 submittal.

MOTION - Montenegro, second - Maghakian, carried unanimously to authorize submittal of the study to the Legislature by December 31, 1986 after review by a subcommittee appointed by the Chairman.

Chairman Wilson appointed Commissioners Grande, Block, Wasserman and Vernon to the review committee with Commissioner Grande serving as chairman.

H. Approval to Negotiate Contract for Shoot/No-Shoot Simulator Training Service

Staff proposed that the Commission contract with a local agency to provide shoot/no-shoot training services as an alternative to direct acquisition of the equipment through State procurement procedures. This approach represents a more expeditious way of getting the needed training on line quickly.

The Long Range Planning Committee reviewed this issue at its October 22 meeting and recommended the development of a contract to provide this service and to authorize the Executive Director to sign the contract subject to review by an appropriate committee named by the Chairman.

During discussion it was noted that staff could consider other units of local government as well as the County of Los Angeles before finalizing the contract.

Commissioner Pantaleoni spoke in favor of the motion and noted that supporting the establishment of a training unit with POST funds is a significant change in previous Commission procedures and policies, and should be a useful procedure for the future.

MOTION - Montenegro, second - Grande, carried unanimously by roll call vote to authorize the Executive Director to negotiate and following its review by an ad hoc committee, to sign a contract with the County of Los Angeles or other unit of local government to develop the Shoot/No-Shoot Simulator System at a cost not to exceed \$557,000.

I. Supervisory Leadership Institute

The Commission at its October 1985 meeting directed staff to develop a Supervisory Leadership Institute that would improve the leadership capabilities of existing first-line sworn supervisors. Before a proposal can be brought before the Commission, considerably more research and development is necessary. Because of other priority workload, staff has been unable to expedite work on this project in a manner which would bring about closure in a reasonable amount of time. Therefore, staff recommends that POST contract with a local unit of government to secure services of a Management Fellow for no more than six months at a total maximum cost of \$50,000.

MOTION - Grande, second - Van de Kamp, carried unanimously by roll call vote to authorize the Executive Director to negotiate and sign a contract with a local employing jurisdiction to secure six months services of a POST Management Fellow to develop the Supervisory Leadership Institute at a cost not to exceed \$50,000.

J. Policy on San Francisco Patrol Special Officers

At the April 1986 Commission meeting, the San Francisco City Attorney raised a legal issue on the status of San Francisco Patrol Special Officers. He alleged the Patrol Special Officers have P.C. 830.1 status and demanded the Commission concur and apply requisite selection and training standards.

Since that date, the Commission has received considerable documentation regarding the Commission's case for recognition of patrol specials as regular police officers. All documents have been reviewed and indications are that no evidence was presented in support of Commission recognition of the Patrol Special Officers or the Assistant Patrol Special Officers as regular police officers. The findings confirm that patrol special officers are significantly different from, and their duties limited, when compared to regular S.F.P.D. officers.

Commissioner Van de Kamp informed the Commissioners that George Agnos, San Francisco City Attorney, passed away recently and Louise Rennie is the new city attorney. Although Ms. Rennie had not requested that the Commission delay its decision in this regard, Commissioner Van de Kamp suggested it might be appropriate to bring this up at a later date in order to provide the new city attorney with time to become familiar with the issue. The Executive Director reminded the Commission of its right to adjourn to an executive session if it wished because of the threat of a law suit.

Steve Diaz, attorney for the San Francisco Patrol Special Officers' Association, commented that for over twenty years there have been two or three consecutive city attorneys rendering the same legal opinion and the staff of the city attorney that will now review the matter is the same staff that has been involved in the issue previously.

Commander Richard Klapp, San Francisco Police Department, pointed out that the new city attorney had informed the chief of police that it is her intention to have different staff members review the issue in order to get a more objective picture before making any decision.

Since no request had been received from the new city attorney requesting that the Commission delay action on this issue, consensus was that the Commission should take a position based on the information received to date.

MOTION - Vernon, seconded - Montenegro, carried unanimously to decline to recognize the San Francisco Patrol Special Officer as a peace officer as defined in P.C. Section 830.1.

K. Report on Proposed Funding of Facilitators for Executive Workshops

A proposal was made at the July 1986 meeting that the Commission approve funding for the salary of facilitators for regional chief executive workshops. Staff evaluated the proposal and project costs as requested by the Commission.

Costs for facilitators would likely range from \$16,000 to \$32,000 per year if all such workshops utilized a paid facilitator funded by POST. Staff proposed that policy adopted by the Commission for the use of a private facilitators in an area workshops should ensure:

- o The facilitator is mutually acceptable to POST and the participating agencies,
- o the facilitator performs a non-evaluative, neutral role and employs skills designed to help focus group activities on completing the workshop agenda,
- o the facilitator does not present specific subject matter training, proprietary material, or engage in marketing consultive services within the structure of the workshop,
- o the fee for workshop facilitation is established at the hourly rate approved for Team-Building Workshop facilitators. That hourly rate is currently \$35, and
- o compensation is limited to those hours and activities on-site, during the workshop. This is recommended because the facilitator's role in this workshop should be limited to conference leading as necessary to process the agenda. Consulting activities generally recognized as "pre-work" and implementation assistance are not required.

MOTION - Pantaleoni, second - Grande, carried unanimously to authorize salary for facilitators at Area Executive Workshops upon prior approval of the Executive Director.

COMMITTEE REPORTS

L. Long-Range Planning Committee Report Received

Commissioner Wasserman, Vice Chairman of the Commission's Long Range Planning Committee, reported that the Committee met on October 22, 1986 in Claremont and addressed the following issues:

1. Physical Ability Testing

The Long Range Planning Committee recommended that staff review the job performance criteria now that the physical ability testing has been in place for over a year. The agencies may at this time develop fitness criteria in addition to present test requirements or may set a higher score than the POST minimum. The Committee recommended that the most prudent course from the Commission's view is an evaluation of physical ability performance on the job.

2. Shoot/No-Shoot Firearms Training Simulator

As reported earlier, the Long-Range Planning Committee recommended development of a contract with Los Angeles County or other unit of

local government to provide Shoot/No-Shoot Firearms Simulator training services to California law enforcement and to authorize the Executive Director to sign the contract subject to review by an appropriate committee named by the Commission Chairman.

3. Psychological Screening of Peace Officer Applicants

Also as reported earlier, the Long Range Planning Committee recommended that the Commission continue the current policy of requiring psychological screening and medical evaluation in instances of lateral transfers. This applies specifically to the Los Angeles County District Attorney's request before the Commission and to all other applications of this regulation.

4. Training Facilities Needs Study

In view of the increasing need for specialized training in the areas relating to law enforcement emergency response, the Long Range Planning Committee recommended that staff begin a comprehensive study of training facilities and equipment needs. For example, certain kinds of tactical and specialized training may best be done by focusing on regional centers. Examples might include driver training, critical instances and strategic planning, computer simulation, shoot/no-shoot simulators, etc.

MOTION - Wasserman, second - Montenegro, carried unanimously that staff prepare a comprehensive study of training facilities and equipment needs and to investigate potential funding sources.

M. Finance Committee Meeting

Commissioner Wasserman, Chairman of the Commission's Finance Committee, reported that the Committee met on October 14 via telephone conference call. The following actions were taken:

1. New Budget Change Proposal (BCP)

A tentative proposal, subject to Commission approval, was submitted to the Department of Finance on September 13 to request a position for the Criminal Investigation Institute. The Finance Committee recommended that the Commission approve the submittal of a BCP for one staff position to support the Criminal Investigation Institute.

MOTION - Wasserman, second, Pantaleoni, carried unanimously that the Commission approve the recommendation of the Committee for submittal of a BCP.

2. Update on Revenue Picture

In response to concerns expressed by the Long Range Planning Committee, a letter was sent to the State Controller requesting that audits be conducted to determine more fully the reasons for the declining revenues to the Penalty Assessment Fund. Since no response has been received as of this date, the Finance Committee recommended that another letter be directed to the Controller requesting the information and that staff continue to monitor the issue.

MOTION - Maghakian, second - Block, that the recommendation of the Committee be adopted and that another letter be sent to the State Controller requesting a response.

N. Legislative Review Committee

Commissioner Block, Chairman of the Legislative Review Committee, reported that the Committee met on October 23, 1986. The Committee reviewed the 1986 "Active" legislation which had been passed into law. The Committee made the following recommendations:

MOTION - Dyer, second - Block, carried unanimously to support the following legislation for the 1987 legislative year:

1. Amend Penal Code Section 832 to require that satisfactory completion of the course be demonstrated by passage of a POST-developed or approved examination.
2. Amend Penal Code Section 13510 to require POST to set selection and training standards for local public safety dispatchers who provide dispatch services at least 50% of the time to local law enforcement agencies in the POST program.

O. Field Needs Survey Ad Hoc Committee

Commissioner Maghakian, Chairman of the Field Needs Survey Ad Hoc Committee, expressed appreciation to the staff for the excellent work done on the survey. Over 4,000 responses have been received to date. A complete report on the results of the survey will be presented at the January 23, 1987 Commission meeting.

P. Advisory Committee

Mike Sadlier, Chairman of the POST Advisory Committee, reported that the Committee met on October 22, 1986 in Claremont. The primary discussion at the meeting centered on the four assignments given to the Advisory Committee by the Commission at the July 24, 1986 Commission meeting in San Diego.

In reviewing the current efforts of the Commission relating to how effectively law enforcement personnel are being trained in the values and principles of the profession, the Advisory Committee determined that these topics are most significantly reflected in the basic course and in executive training, particularly the Command College course. The direction is toward incorporating these concerns as an overlay to all types of training, including the new Criminal Investigation Institute and the Supervisory Leadership Institute as they come on line. The Advisory Committee is of the opinion that POST is moving in the right direction and should continue these efforts in the future.

On the issue of reviewing current efforts of the Commission relating to hazardous materials training for law enforcement personnel, the Advisory Committee felt that a subcommittee should be given the task of developing more information on the topic to ensure a more thorough discussion at the next meeting.

Although there was some discussion on the issue of statewide accreditation of law enforcement agencies as an alternative to the national accreditation program, the Advisory Committee felt that this topic also was in need of further review by a subcommittee prior to the next meeting. It is envisioned that this subcommittee will spend some time acquainting themselves with the national accreditation program.

The fourth, and final, assignment given to the Advisory Committee by the Commission concerned a discussion of the potential for substance abuse by law enforcement personnel and what POST could do to assist local agencies in addressing possible problems. Because of the complex nature of this issue, the Advisory Committee passed a motion recommending that the Commission contract for a POST Management Fellow to research the topic and develop a compendium of exemplary programs for reference by departments.

The Advisory Committee will continue to work on these assignments at upcoming meetings.

Mr. Sadlier thanked the Commissioners for the opportunity to serve as chairman of the Advisory Committee, and announced that Carolyn Owens has been elected as the new Chairman and Bill Shinn will serve as the new Vice Chairman.

OLD/NEW BUSINESS

Q. Correspondence

Duane Lowe, Chief, Division of Investigation Department of Consumer Affairs, requested permission to attend the POST Command College.

Following discussion concerning the broader issue of which law enforcement groups should be permitted acceptance into the POST Command College, staff was directed to develop data and recommendations concerning applicants from non-reimbursable agencies. The data and recommendations could be reviewed by the ad hoc Command College Committee or by a standing committee as directed by the Chairman.

MOTION - Vernon, second - Maghakian, carried unanimously that staff prepare a study revealing how many persons might be eligible to apply under revised guidelines, including costs, cost recovery and other issues prior to a Committee making a recommendation of the overall policy question raised.

R. Appointment of Advisory Committee Member

The Sheriff's Association recommended that Sheriff Floyd Tidwell serve out the remainder of Sheriff Ben Clark's term of office which expires in September 1987.

MOTION - Vernon, second - Dyer, carried unanimously to appoint San Bernardino County Sheriff Floyd Tidwell as a member of the Advisory Committee.

DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

January 22, 1987 - Hyatt Islandia, San Diego
April 23, 1987 - Sacramento Hilton Hotel, Sacramento
July 23, 1987 - Bahia Hotel, San Diego
October 1987 - San Francisco Bay Area (To be Determined)

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:55 a.m. in honored memory of Chief Carl Pierce of the Newark Police Department who passed away on October 18, 1986.



VERA ROFF
Executive Secretary

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Course Certification/Decertification Report		Meeting Date January 22, 1987
Bureau Training Delivery Services	Reviewed By Ronald T. Allen, Chief	Researched By Rachel S. Fuentes
Executive Director Approval <i>Norman C. Behm</i>	Date of Approval 12-29-86	Date of Report December 31, 1986
Purpose: <input type="checkbox"/> Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		

The following courses have been certified or decertified since the October 23, 1986 Commission meeting:

CERTIFIED

<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1. Organizational Analysis	Law Enforcement Management Center	Mgmt. Sem.	III	\$ 17,496
2. Advanced Planning Management	Law Enforcement Management Center	Mgmt. Sem.	III	17,496
3. Writing for Supervisors	Golden West College RCJTC	Supv. Sem.	IV	4,500
4. Reserve Training Module A	Eastern Sierra Reserve Academy	Reserve Training	N/A	-0-
5. Video Workshop - EFP Level II	Sony Institute	Technical	III	9,512
6. Motorcycle Training	Southwestern Col./ San Diego Co. S.D.	Technical	III	38,880
7. Report Writing	Golden West College RCJTC	Technical	IV	4,500
8. Criminal Investigation	San Diego Law Enf. Training Center	Technical	II	22,554
9. Property Management	CSU, San Jose	Technical	III	16,107
10. Damage Assessment & Recovery Op. Sem.	CSTI	Technical	III	7,324
11. Planning for Tomorrow Today	Los Angeles Co. Sheriff's Dept.	Mgmt. Sem.	IV	3,500
12. Laser Firearms Training - II	Los Angeles Co. Sheriff's Dept.	Technical	III	60,800

CERTIFIED - Continued

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
13.	Complaint Dispatcher Update	Tulare/Kings Co. Peace Offcr. Trng Academy	Technical	IV	2,040
14.	Reserve Training - Module B	San Francisco Police Department	Reserve Training	N/A	-0-
15.	Crisis Ident., Inv. & Mgmt.	Santa Barbara Police Department	Technical	IV	3,000
16.	White Collar Crime: Fin. Inv.	FBI, Los Angeles	Technical	IV	3,000
17.	Motorcycle Trng.	San Joaquin Delta College	Technical	IV	20,801
18.	Civilian Supervisory Course	Golden West College	Supv. Trng.	IV	15,000
19.	Skills & Knowledge Module	El Camino College	Technical	IV	6,000
20.	Adv. Officer, POST Specified	Los Angeles County Sheriff's Dept.	AO	III	36,000
21.	Civilian Supervisory Course	NCCJTES, Santa Rosa Center	Supv. Trng.	IV	15,552
22.	Civilian Supervisory Course	NCCJTES, Los Medanos College	Super. Trng.	IV	8,568
23.	Arrest & Control Tactics	San Francisco P.D.	Technical	IV	15,552
24.	Community Service Officer	Los Angeles County Sheriff's Dept.	Technical	IV	67,200
25.	Community Service Officer	Rio Hondo College	Technical	IV	6,480
26.	Complaint/Dispatcher	San Jose Com. Col. Dist. RCJTC	Technical	II	51,322
27.	Worker's Compensation Cases	Cal State Polytechnic Univ.	Exec. Trng.	III	17,860
28.	Burglary Invest.	Sacramento Public Safety Center	Technical	II	6,912
29.	Criminal Intelligence Institute	DOJ Training Center	Technical	IV	54,712

CERTIFIED - Continued

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
30.	Instructor Development	FBI, San Diego	Technical	IV	7,740
31.	Defensive Tactics Instructors	Central Coast Co. Police Academy	Technical	IV	28,800
32.	Baton Instructors Course-Straight (PR-24) Side Handle	Central Coast Co. Police Academy	Technical	IV	18,880
33.	Defensive Tactics Instructor Update	Central Coast Co. Police Academy	Technical	IV	6,796
34.	Reserve Training, Module C	Long Beach Police Department	Reserve Training	N/A	-0-
35.	Arrest & Firearms, (P. C. 832)	Feather River College	P. C. 832	IV	-0-

DECERTIFIED

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Annual Fiscal Impact</u>
1.	High Tech Theft Prevention	Los Angeles Co. Sheriff's Dept.	Technical	IV	-0-


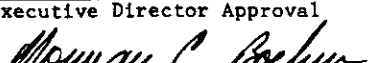
TOTAL CERTIFIED 35

TOTAL DECERTIFIED 01

TOTAL MODIFICATIONS 25

789 courses certified as of 12/23/86
~~151~~ presenters certified as of 12/23/86

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT			
Agenda Item Title		Ventura County Public Social Services Agency	Meeting Date January 22, 1987
Bureau Compliance & Certificate Services		Reviewed By 	Researched By Bud Perry
Executive Director Approval 		Date of Approval 12-29-86	Date of Report December 15, 1986
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No			
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.			

ISSUE

The Ventura County Public Social Services Agency has requested entry into the POST Specialized Program.

BACKGROUND

The Ventura County Board of Supervisors passed a resolution, on March 6, 1984, approving the Ventura County Public Services Agency's entry into the POST Specialized Program; its adherence to the standards for recruitment and training established by the Commission; and allowing the Commission to make inquiries as deemed appropriate.

ANALYSIS

The agency presently employs 11 sworn investigators, who conduct welfare fraud investigations. The provisions of Section 830.31(d) describe welfare fraud investigators as peace officers. An on-site visit reveals adequate selection and background standards have been employed.

RECOMMENDATION

The Commission be advised that the Ventura County Public Social Services Agency was admitted to the POST Specialized Program consistent with Commission policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

AMENDMENT OF COMMISSION REGULATIONS AND
PROCEDURE FOR NONSWORN EXECUTIVES TO ATTEND
THE EXECUTIVE DEVELOPMENT COURSE

JANUARY 22, 1987 PUBLIC HEARING

SCRIPT

CHAIRMAN:

THE HEARING ON THE PROPOSED AMENDMENT OF COMMISSION
REGULATION AND PROCEDURE FOR NONSWORN EXECUTIVES TO ATTEND
THE EXECUTIVE DEVELOPMENT COURSE IS NOW CONVENED.

EXECUTIVE
DIRECTOR:

THIS HEARING IS BEING CONDUCTED IN COMPLIANCE WITH
REQUIREMENTS SET FORTH IN THE ADMINISTRATIVE PROCEDURES
ACT. THE RECORDS OF COMPLIANCE ARE ON FILE AT POST
HEADQUARTERS. THE PROPOSED AMENDMENTS ARE DESCRIBED IN
AGENDA ITEM C AND WERE ANNOUNCED IN POST BULLETIN 86-12 AND
PUBLISHED IN THE CALIFORNIA ADMINISTRATIVE NOTICE REGISTER
AS REQUIRED BY LAW. COPIES OF THESE ITEMS ARE AVAILABLE AT
THE REGISTRATION TABLE.

CHAIRMAN:

THE PURPOSE OF THIS PUBLIC HEARING IS TO CONSIDER THE
PROPOSED AMENDMENTS TO COMMISSION REGULATION 1014 AND
PROCEDURE E-1-3e AND E-1-4a.

EXECUTIVE
DIRECTOR:

A SUMMARY OF THE WRITTEN COMMENTARY THAT HAS BEEN RECEIVED REGARDING THIS PROPOSAL WILL NOW BE READ INTO THE RECORD:

JAMES G. MARSHALL, CERES CITY MANAGER, STATED SUPPORT FOR THE PROPOSED AMENDMENT.

DAVE HARRIS, DIXON CITY MANAGER, STATED SUPPORT FOR THE PROPOSED AMENDMENT ADDING THAT IT WOULD GIVE BROADER PERSPECTIVE TO POLICE SERVICES AND PERSONNEL.

TOM CLARK, KINGS COUNTY SHERIFF-CORONER, STATED SUPPORT FOR THE PROPOSAL. SHERIFF CLARK STATED THAT LAW ENFORCEMENT AGENCIES BENEFIT BECAUSE OF THE TALENTS AND PROFESSIONAL TRAINING OF NONSWORN EMPLOYEES. IT WOULD NOT BE COST EFFECTIVE TO ASSIGN PEACE OFFICERS IN SUCH POSITIONS.

LAURENCE R. MARSHALL, OCEANSIDE CHIEF OF POLICE, STATED SUPPORT FOR THE PROPOSAL NOTING THAT WITH THE INCREASE IN THE EMPLOYMENT OF CIVILIANS THROUGHOUT MANY LAW ENFORCEMENT AGENCY POSITIONS, IT IS IMPERATIVE THAT APPROPRIATE TRAINING BE AVAILABLE COMMENSURATE WITH THESE RESPONSIBILITIES.

SHERMAN BLOCK, LOS ANGELES COUNTY SHERIFF, STATED SUPPORT FOR THE PROPOSAL. SHERIFF BLOCK ALSO STATED THE CHANGES WOULD ALLOW HIS DEPARTMENT TO FULFILL THE TRAINING NEEDS OF THE INDIVIDUALS IN HIS DEPARTMENT WHO QUALIFY AND THAT IT WOULD ENHANCE THE OVERALL QUALITY OF HIS EXECUTIVE STAFF.

JOHN C. SMITH, MOUNTAIN VIEW CHIEF OF POLICE, STATED SUPPORT FOR THE PROPOSAL BECAUSE HE BELIEVES THE PROPOSED CHANGE IS IN THE BEST INTEREST OF LAW ENFORCEMENT.

MEL NELSON, LIVERMORE CHIEF OF POLICE, STATED SUPPORT FOR THE PROPOSAL BECAUSE HIS DEPARTMENT STRONGLY SUPPORTS EQUITABLE TRAINING FOR ALL OF ITS EMPLOYEES REGARDLESS OF SWORN OR NONSWORN STATUS.

RAY BELGARD, WATSONVILLE CHIEF OF POLICE, STATED OPPOSITION TO THE PROPOSAL BECAUSE THE DEFINITION OF EXECUTIVE POSITION, AS STATED IN REGULATION 1001J, IS LIMITED AND THE PROPOSED CHANGE WOULD BE DISCRIMINATORY TO SMALLER AGENCIES AND THEIR MIDDLE MANAGEMENT POSITIONS.

WILLIAM M. RATHBURN, DEPUTY CHIEF, LOS ANGELES POLICE DEPARTMENT, STATED SUPPORT FOR THE PROPOSAL BECAUSE HIS DEPARTMENT IS COMMITTED TO DEPLOYING HIGHLY QUALIFIED CIVILIAN PERSONNEL IN EXECUTIVE POSITIONS; THE PROPOSAL WILL ASSIST IN THE ACHIEVEMENT OF THIS GOAL.

JOSEPH P. BONINO, CIVILIAN COMMANDING OFFICER OF THE RECORDS AND IDENTIFICATION DIVISION, LOS ANGELES POLICE DEPARTMENT, ALSO WROTE IN SUPPORT OF THE PROPOSAL STATING ATTENDANCE OF THE EXECUTIVE DEVELOPMENT COURSE WOULD ASSIST IN THE DEVELOPMENT OF HIMSELF AND OTHER NONSWORN INDIVIDUALS HOLDING EXECUTIVE POSITIONS. MR. BONINO STATED IN HIS CURRENT ASSIGNMENT HE IS IN CHARGE OF OVER 370 EMPLOYEES IN VARIOUS CLASSIFICATIONS, INCLUDING SWORN LIEUTENANTS AND BELOW.

CHARLES DRESCHER, CIVILAIN COMMANDING OFFICER OF THE AUTOMATED INFORMATION DIVISION, LOS ANGELES POLICE DEPARTMENT, WROTE IN SUPPORT OF THE PROPOSAL STATING HE AND OTHER NONSWORN INDIVIDUALS HOLDING EXECUTIVE POSITIONS WOULD BENEFIT FROM ATTENDANCE OF THE EXECUTIVE DEVELOPMENT COURSE. MR. DRESCHER STATED IN HIS CURRENT ASSIGNMENT HE IS IN CHARGE OF OVER 80 EMPLOYEES IN VARIOUS CLASSIFICATION, INCLUDING SWORN SERGEANTS AND BELOW.

RAYMOND E. FARMER, RIALTO CHIEF OF POLICE, WROTE IN SUPPORT OF THE PROPOSAL STATING (1) THE PROPOSAL IS A TIMELY ACTION BECAUSE LAW ENFORCEMENT AGENCIES RECOGNIZE THE VALUE OF HIRING AND PROMOTING NONSWORN PERSONNEL INTO THE MANAGEMENT RANKS; (2) THE EXECUTIVE DEVELOPMENT COURSE WILL PROVIDE NONSWORN COMMAND-LEVEL STAFF WITH AN UNDERSTANDING OF THE IMPORTANT ISSUES IMPACTING EXECUTIVE LAW ENFORCEMENT DECISION MAKING; AND (3) REIMBURSEMENT FOR ATTENDANCE OF THE EXECUTIVE DEVELOPMENT COURSE WILL LESSEN BUDGETARY INSUFFICIENCIES FOR NONSWORN TRAINING.

RECEIPT OF THE WRITTEN COMMENTARY HAS BEEN ACKNOWLEDGED BY POST; A SUMMARY OF THE COMMENTARY WAS READ INTO THE RECORD. RESPONSE TO THE CONCERNS OR OPPOSITION EXPRESSED IN THE WRITTEN COMMENTARY MUST AWAIT THE DISCUSSIONS AND DECISION OF THE COMMISSION.

CHAIRMAN: WE WILL NOW HEAR STAFF'S REPORT ON AMENDING COMMISSION REGULATION 1014 AND PROCEDURES E-1-3e AND E-1-4A.

CHAIRMAN: WE WILL NOW RECEIVE, FOR THE RECORD, TESTIMONY FROM THE AUDIENCE. PERSONS TESTIFYING ON THE ISSUE BEFORE US TODAY ARE REQUESTED TO PLEASE STATE THEIR FULL NAME AND AGENCY AFFILIATION.

THOSE WHO OPPOSE THE RECOMMENDATION, PLEASE COME FORWARD.

CHAIRMAN: THOSE WHO SUPPORT THE RECOMMENDATION, PLEASE COME FORWARD.

CHAIRMAN: THERE BEING NO FURTHER TESTIMONY, THE HEARING IS ADJOURNED TO ALLOW THE COMMISSION TO ACT ON THIS ISSUE.

CHAIRMAN :

THE ADMINISTRATIVE CODE REQUIRES POST TO LIST EACH OBJECTION OR RECOMMENDATION MADE BY THE PUBLIC, HOW THE PROPOSED ACTION IS TO BE CHANGED TO ACCOMMODATE EACH OBJECTION OR RECOMMENDATION, OR THE REASONS FOR MAKING NO CHANGE. THE CHAIR CALLS UPON THE EXECUTIVE DIRECTOR TO ADDRESS THE OBJECTION MADE BY RAY BELGARD, WATSONVILLE CHIEF OF POLICE. THE CHAIR ALSO WELCOMES THE COMMENTS AND QUESTIONS OF THE COMMISSIONERS REGARDING THIS MATTER.

CHAIRMAN:

HAVING CONSIDERED STAFF'S RECOMMENDATIONS AND THE WRITTEN AND ORAL TESTIMONY, THE CHAIR WILL NOW ENTERTAIN MOTIONS BY THE COMMISSION TO AMEND COMMISSION REGULATION AND PROCEDURE FOR NONSWORN EXECUTIVES TO ATTEND THE EXECUTIVE DEVELOPMENT COURSE.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Public Hearing - Amendment of Commission Regulations and Procedures for Non-Sworn Executives to Attend		Meeting Date January 22, 1987
Bureau Center for Executive Development	Reviewed By Executive Development Course	Researched By Ted Morton
Executive Director Approval <i>Morgan C. Bethun</i>	Date of Approval 1-7-87	Date of Report December 4, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Should the Commission approve revisions to Commission Regulation 1014, Training for Non-Sworn Personnel, and Procedure E-1-3; and amend and add new language to Procedure E-1-4?

Background

The current Regulations and Procedures do not permit reimbursement to agencies for non-sworn employees who attend the 80-hour Executive Development Course. A request has been received to allow non-sworn full time senior level management employees to attend the Executive Development Course.

At the October meeting, the Commission considered this matter and directed that a public hearing be held. Public hearing announcements and all Office of Administrative Law requirements are attached.

Analysis

The present Executive Development Course would satisfy the training needs of non-sworn law enforcement senior managers. Since 1983, non-sworn managers have been allowed to attend the 80-hour Management Course and their agency reimbursed. POST staff and course managers have had no problems with this policy.

It is anticipated only about 10 non-sworn managers' agencies would be reimbursed annually, at a cost of \$860.35 per student, or a total cost of about \$8,604. So that the non-sworn employees have met the same requirements as regular officers, the Management Course should be successfully completed before attendance of the Executive Development Course.

Recommendation

After receiving testimony of the public hearing, the Commission may proceed to approve the revisions to Commission Regulation 1014, Training for Non-Sworn Personnel, and Procedure E-1-3; and amend and add new language to Procedure E-1-4.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

November 26, 1986

BULLETIN: 86-12

SUBJECT: PUBLIC HEARING--AMENDMENT OF COMMISSION REGULATIONS AND PROCEDURES
FOR NON-SWORN EXECUTIVES TO ATTEND THE EXECUTIVE DEVELOPMENT COURSE

A public hearing has been scheduled, in conjunction with the January 22, 1987, Commission meeting in San Diego, for the purpose of considering proposed changes in Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The current Regulations and Procedures do not permit reimbursement to agencies for non-sworn employees who attend the Executive Development Course. The proposed amendment would allow reimbursement to agencies when non-sworn employees filling executive positions attend the Executive Development Course. The agency head must obtain prior written approval from POST. Persons eligible must be full-time non-sworn employees assigned to executive positions as described in Section 1001 (j) of the Regulations and must have satisfactorily completed the training requirements of the Management Course.

To implement the change, the Commission proposes to amend Regulation 1014, Training for Non-Sworn and Paraprofessional Personnel and Procedure E-1-3; and amend and add new language to Procedure E-1-4.

The Commission invites written or verbal testimony on this matter.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the proposed regulation and procedure changes, and it provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Georgia Pinola at (916) 739-5400.

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Attachment

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

NOTICE OF PUBLIC HEARING

Amendment of Commission Regulations and
Procedure for Non-Sworn Executives to Attend
the Executive Development Course

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST), pursuant to the authority vested in Section 13503, 13506, and 13510 of the Penal Code to interpret and make specific section 13503, 13506, and 13523 of the Penal Code, proposes to adopt, amend or repeal the Commission Regulations and Procedures incorporated by reference into Regulations in Chapter 2 of Title 11 of the California Administrative Code. A public hearing to adopt the proposed amendments will be held before the Commission on:

Date: Thursday, January 22, 1987

Time: 10:00 a.m.

Place: Hyatt Islandia Hotel
San Diego, California

Notice is also hereby given that any interested person may present oral statements or arguments, relevant to the action proposed, during the public hearing.

INFORMATIVE DIGEST

Commission Procedure E-1-4a now does not permit the reimbursement of training-related expenses to agencies for nonsworn employees who attend the Executive Development Course. The proposed amendments to the Regulation and Procedure would allow reimbursement to jurisdictions when nonsworn employees filling executive positions attend the Executive Development Course. The agency head must obtain prior written approval from POST. The full-time nonsworn employee must be assigned to an executive position as described in Section 1001(j) of the Regulations and must have satisfactorily completed the training requirements of the Management Course.

PUBLIC COMMENT

The Commission hereby requests written comments on the proposed actions that are described in this notice. Written comments relevant to the proposed actions must be received at POST no later than January 12, 1987, at 4:30 p.m. Written comments should be directed to Norman C. Boehm, Executive Director, Commission on Peace Officer Standards and Training, 1601 Alhambra Boulevard, Sacramento, CA 95816-7083.

ADOPTION OF PROPOSED REGULATIONS

After the hearing, and consideration of public comments, the Commission may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is solely grammatical or nonsubstantial in nature, the full text of the resulting regulation, will be made available to the public at least 15 days before the date of adoption. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified language for 15 days after the date on which the revised text is made available.

TEXT OF PROPOSAL

Copies of the Statement of Reasons and exact language of the proposed action may be obtained at the hearing or prior to the hearing upon request in writing to the contact person at the above address. This address also is the location of all information considered as the basis for these proposals. The information will be maintained for inspection during the Commission's normal business hours (8 a.m. to 5 p.m.).

ESTIMATE OF ECONOMIC IMPACT

The Commission has determined that the proposed changes: (1) will have no effect on housing costs; (2) do not impose any new mandate upon local agencies or school districts; (3) involve no increased nondiscretionary costs of savings to any local agency, school district, state agency, or federal funding to the State; (4) will have no adverse economic impact on small businesses; and (5) involve no significant cost to private persons or entities.

CONTACT PERSON

Inquiries concerning the proposed action and requests for written material pertaining to the proposed action should be directed to Georgia Pinola, Staff Services Analyst, at the above-listed address, or by telephone at (916) 739-5400.

Commission on Peace Officer Standards and Training

PUBLIC HEARING: Amendment of Commission Regulations and Procedures for Non-Sworn Executives to Attend the Executive Development Course

STATEMENT OF REASONS

The Commission is required by Penal Code Section 13510 to set selection and training standards for all peace officer members of agencies that participate in the POST programs.

Commission Regulation 1014 and Commission Procedure E-1-4a provide for the training of non-sworn and paraprofessional personnel performing police tasks. Agencies in the Regular Program may receive reimbursement, with prior approval from the Commission, for the training of non-sworn and paraprofessional personnel attending specified POST-certified courses.

Since 1983, non-sworn managers have attended the POST-certified Management Course and their agencies have been reimbursed. This action was taken to meet the training demand of non-peace officers who had replaced peace officer managers in law enforcement agencies.

For several years, a number of departments increasingly have assigned non-peace officers within the command structure of select divisions. In most instances, these divisions formerly were commanded by sworn personnel holding the rank of captain or higher. To provide continuity in the leadership at the command level, POST staff and law enforcement executives believe it is necessary to provide appropriate training for all personnel holding these positions; the Executive Development and Management Courses would provide such training for these positions.

The Commission, therefore, is proposing that non-sworn personnel assigned to executive positions, as described in Section 1001(j) of the Commission Regulations, be permitted to attend the Executive Development Course and for their jurisdictions to receive reimbursement. Before attending an Executive Development Course:

- o the non-sworn executive must have satisfactorily completed the training requirements of a POST-certified management course; and
- o the department head must have requested and received written approval from POST.

The Commission proposes to amend Commission Regulation 1014 and add a new paragraph 5 to Procedure E-1-4a to allow for such training and reimbursement.

Commission on Peace Officer Standards and Training

Public Hearing: Amendment of Commission Regulations and Procedures for
Non-Sworn Executives to Attend the Executive Development
Course

REGULATION

1014. Training for Non-Sworn and Paraprofessional Personnel

- (a) Reimbursement shall be provided to Regular Program agencies for the training of non-sworn personnel performing police tasks and paraprofessional personnel, provided for by POST Administrative Manual Section E-1-4a, (adopted effective April 15, 1982), herein incorporated by reference.
- (b) Request for Approval
 - (1) Non-Sworn or Paraprofessional Personnel. Whenever it is necessary for the employing jurisdiction to obtain prior written approval from the Commission for non-sworn or paraprofessional personnel to attend reimbursable training, the agency shall include in the approval request the following information regarding each individual. (See PAM Section E-1-4a):
 - (A) The trainee's name and job title.
 - (B) Job description.
 - (C) Course title, location and dates of presentation.
 - (2) Request for approval must reach the Commission 30 days prior to the starting date of the course.

(c) Reimbursement

Reimbursement for non-sworn and paraprofessional personnel is computed in the same manner (except as noted below) as for sworn personnel according to the reimbursement plan for each course appropriate for the employee's classification as set forth in the POST Administrative Manual, Section E-1-4a, (adopted effective April 15, 1982), herein incorporated by reference.

No reimbursement is provided for the training of non-sworn personnel for expenses associated with courses enumerated in Regulation 1005(a)(b)(c)(d)(e), except as provided in PAM Section E-1-4a (3), ~~and (4)~~, and (5).

Commission on Peace Officer Standards and Training

Commission Procedure E-1

REQUIREMENTS FOR REIMBURSEMENT

Purpose

1-1. Reimbursement Requirements: The purpose of this Commission procedure is to provide departments participating in the POST Reimbursement Program with general information about procedures to be followed in requesting reimbursement from the Commission on POST for expenditures in training personnel.

Eligibility for Reimbursement

1-2. Eligibility: As provided in Sections 13507, 13510 and 13522 of the Penal Code, departments participating in the POST Reimbursement Program which, by formal agreement with the Commission, adhere to the standards for recruitment and training as established by the Commission, may be reimbursed from the Peace Officer Training Fund for allowable expenditures incurred for the training of their personnel in POST certified courses.

Requirements Relating to Reimbursement

1-3. Specific Requirements: The following specific requirements relating to reimbursement are indicated in the Commission Regulations:

- a. Basic Course: As specified in Commission Regulation 1005(a).
- b. Supervisory Course: As specified in Commission Regulation 1005(b).

Reimbursement, when requested by the department head, will be paid under Plan II for expenses related to attendance of a certified Supervisory Course provided the trainee has been awarded or is eligible for the award of the Basic Certificate and is (1) appointed to a supervisory position or (2) will be appointed within 12 months to a first-level supervisory position or (3) is appointed to a quasi-supervisory position.

1-3. Specific Requirements (continued)

- c. Management Course: As specified in Commission Regulation 1005(c).

Reimbursement, when requested by the department head, will be paid under Plan II for expenses related to attendance of a certified Management Course provided the trainee has satisfactorily completed the training requirements of the Supervisory Course and the trainee is (1) appointed to a middle management position or (2) will be appointed within 12 months to a middle management position or (3) is appointed to a first-level supervisory position.

For approval of Reimbursement for non-sworn middle managers or higher attending a Management Course, see Commission Procedure E-1-4(a4).

- d. Advanced Officer Course: As specified in Commission Regulation 1005(d).
- e. Executive Development Course: As specified in Commission Regulation 1005(e).

Reimbursement, when requested by the department head, will be paid under Plan IV for expenses related to attendance of a certified Executive Development Course provided the trainee has satisfactorily completed the training requirements of the Management Course and is (1) appointed department head or to an executive staff position or (2) will be appointed within 12 months to a department head or to an executive staff position.

For approval of reimbursement for non-sworn personnel occupying an executive position and attending an Executive Development Course, see Commission Procedure E-1-4(a5).

- f. Field Management Training: As specified in Commission Procedure D-9.
- g. Team Building Workshops: A condition of certification of Team Building Workshops is the development by participants of an Action Plan for implementing results of the course. A copy of the Action

1-3. Specific Requirements (continued)

Plan must be received by POST within 90 days of completion of the Team Building Workshop before reimbursement for training expenses can be authorized.

1-4. General Requirements: General requirements relating to reimbursement are as follows:

- a. Training for Non-sworn and Paraprofessional Personnel: Reimbursement is provided for the training of non-sworn personnel performing police tasks and for paraprofessionals attending a certified Basic Course.
 1. The training shall be specific to the task currently being performed by an employee or may be training specific to a future assignment which is actually being planned.
 2. Non-sworn personnel may attend the courses identified in Section 1005(a)(b)(c)(d)(e), but reimbursement shall not be provided except as indicated in sub-paragraphs 3, ~~and 4~~, and 5 below.
 3. Paraprofessional personnel in, but not limited to, the classes listed below may attend a certified Basic Course and reimbursement shall be provided to the employing jurisdiction in accordance with the regular reimbursement procedures. Prior to training paraprofessional personnel in a certified Basic Course, the employing jurisdiction shall complete a background investigation and all other provisions specified in Section 1002(a)(1) through (7) of the Regulations.

Eligible job classes include the following:

Police Trainee
Police Cadet
Community Service Officer
Deputy I (nonpeace officer)

1-4. General Requirements (continued)

4. A full-time, non-sworn employee assigned to a middle management or higher position may attend a certified management course and the jurisdiction may be reimbursed the same as for a regular officer in an equivalent position. Requests for approval shall be submitted in writing to POST, Center for Executive Development, at least 30 days prior to the start of the concerned course.

Request for approval must include such information as specified in Section 1014 of the Regulations. Approval will be based on submission of written documentation that the non-sworn manager is filling a full-time position with functional responsibility in the organization above the position of first-line supervisor.

5. A full-time non-sworn employee assigned to an executive position as described in Section 1001(j) of the Regulations may attend a certified executive development course and the jurisdiction may be reimbursed the same as for a regular officer in an equivalent position. Requests for approval shall be submitted in writing to POST, Center for Executive Development, at least 30 days prior to the start of the concerned course. Request for approval must include such information as specified in Section 1014 of the Regulations. Approval will be based on submission of written documentation that the non-sworn executive is filling a full-time position with the functional responsibility in the organization equivalent to the rank of captain or above.

Reimbursement, when requested by the department head, will be paid the same as for a regular officer, provided the non-sworn employee has satisfactorily completed the training requirements of the Management Course.

- 6.5: Non-sworn persons performing police tasks who are to be assigned or are assigned to the following job classes are eligible, without prior approval from POST, to attend training courses, as provided

1-4. General Requirements (continued)

by Regulation Section 1014, that are specific to their assignments. Job descriptions shall be used to determine those positions eligible:

- Administrative Positions
- Communications Technician
- Complaint/Dispatcher
- Criminalist
- Community Service Officer
- Evidence Technician
- Fingerprint Technician
- Identification Technician
- Jailer and Matron
- Parking Control Officer
- Polygraph Examiner
- Records Clerk
- Records Supervisor
- School Resource Officer
- Traffic Director and Control Officer

7.6. Reimbursement for training which is not specific to one of the job classes enumerated in the above paragraph, must be approved by the Commission on an individual basis prior to the beginning of the course, providing such information as specified in Section 1014 of the Regulations.

- b. Reimbursement Will be Approved Only Once For Repeated Training: When a trainee has attended a course certified by the Commission, for which reimbursement has been legally paid, the employing jurisdiction may not receive reimbursement for repetition of the same course unless the course is authorized to be repeated periodically; for example, Seminars or Advanced Officer Courses and selected Technical Courses which deal with laws, court decisions, procedures, techniques and equipment which

1-4. General Requirements (continued)

are subject to rapid development or change. Exceptions or special circumstances must be approved by the Executive Director prior to beginning the training course.

- c. On-Duty Status: Section 1015(e) of the Regulations provides that reimbursement will be made only for full-time employees attending certified courses in an "on-duty" status or when appropriate overtime or compensatory time off is authorized. This does not preclude attendance of a POST-certified course, for which reimbursement is not claimed, on the employee's own time.
- d. Federal or Other Funding Programs: A jurisdiction which employs a trainee full-time, whose salary is paid by a source other than the employing jurisdiction, such as a federal grant or other outside funding source, is not eligible to receive POST reimbursement for the trainee's salary or other expenditures covered by the grant.
- e. Trainee Must Complete the Course: Within the provisions established by the Commission, a jurisdiction may receive reimbursement for training expenditures only when the trainee satisfactorily completes the POST-certified training course. Exceptions are the Basic Course, Motorcycle Training and courses designed to train the trainer.

The Executive Director is authorized administrative discretion to resolve situations of equity for partial completion of POST-certified courses (for example, allowing reimbursement when a trainee successfully completes a major portion of a course but for some reason, such as injury, is prevented from completing the entire course).

- f. A department requesting reimbursement of training expenditures shall, upon request of POST or the State Controller's Office, provide records that will demonstrate the agency incurred the requested expenditures for employees trained and that the expenses generally equated to on an annual basis the amount reimbursed by POST. These records must be retained for three fiscal years (current, plus two prior).

1-4. General Requirements (continued)

When records of a department indicate a gross disparity in the amount reimbursed annually versus the amount of expenses incurred annually for training, the head of that department should notify POST immediately to make adjustments.

12-1-86



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

November 26, 1986

BULLETIN: 86-12

SUBJECT: PUBLIC HEARING--AMENDMENT OF COMMISSION REGULATIONS AND PROCEDURES
FOR NON-SWORN EXECUTIVES TO ATTEND THE EXECUTIVE DEVELOPMENT COURSE

A public hearing has been scheduled, in conjunction with the January 22, 1987, Commission meeting in San Diego, for the purpose of considering proposed changes in Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The current Regulations and Procedures do not permit reimbursement to agencies for non-sworn employees who attend the Executive Development Course. The proposed amendment would allow reimbursement to agencies when non-sworn employees filling executive positions attend the Executive Development Course. The agency head must obtain prior written approval from POST. Persons eligible must be full-time non-sworn employees assigned to executive positions as described in Section 1001 (j) of the Regulations and must have satisfactorily completed the training requirements of the Management Course.

To implement the change, the Commission proposes to amend Regulation 1014, Training for Non-Sworn and Paraprofessional Personnel and Procedure E-1-3; and amend and add new language to Procedure E-1-4.

The Commission invites written or verbal testimony on this matter.

The attached Notice of Public Hearing, required by the Administrative Procedures Act, provides details concerning the proposed regulation and procedure changes, and it provides information regarding the hearing process. Inquiries concerning the proposed action may be directed to Georgia Pinola at (916) 739-5400.

Norman C. Boehm

NORMAN C. BOEHM
Executive Director

Attachments 1 | 1 930

LOS ANGELES

This makes sense --
Go for it! It will
give broader perspective
to police services,
& personnel. Dave Harris

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

(916) 739-5328

EXECUTIVE OFFICE

(916) 739-3864

BUREAUS

Administrative Services

(916) 739-5354

Center for Executive

Development

(916) 739-2093

Compliance and Certificates

(916) 739-5377

Information Services

(916) 739-5340

Management Counseling

(916) 739-3868

Standards and Evaluation

(916) 739-3872

Training Delivery Services

(916) 739-5394

Training Program Services

(916) 739-5372

Course Control

(916) 739-5399

Professional Certificates

(916) 739-5391

Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

December 9, 1986

Dave Harris
City Manager
The City of Dixon
600 East "A" Street
Dixon, California 95620-9990

Dear Mr. Harris:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

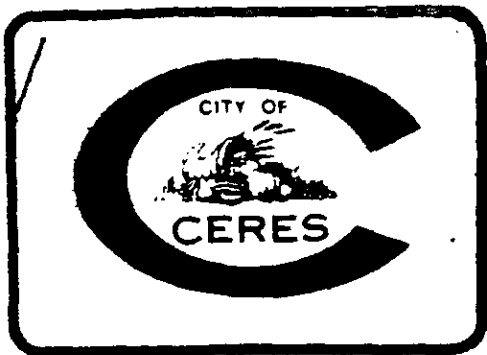
The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,



NORMAN C. BOEHM
Executive Director





2720 SECOND STREET
CERES, CA. 95307
(209) 537-8911

CITY COUNCIL
Jim Delhart Mayor
Lewis Arrolie Jeffrey D. McKay
Richard McBride Gary Sortien

December 1, 1986

Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816

SUBJECT: Bulletin 86-12; Notice of Public Hearing - Amendment of
Commission Regulations and Procedures for Non-Sworn
Executives to Attend the Executive Development Course

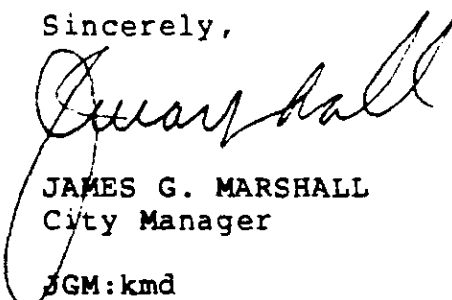
Dear Mr. Boehm:

Please accept this letter as written testimony in support of the amendment of regulation 1014, training for non-sworn and paraprofessional personnel; and, procedure E-1-3 and procedure E-1-4.

It is our understanding that the proposed amendment would allow reimbursement to agencies when non-sworn employees filling executive positions attend the P.O.S.T. Executive Development course. Understandably, agencies must obtain prior written approval from P.O.S.T.

Please present this letter as part of your testimony at the hearing scheduled for January 22, 1987, in San Diego.

Sincerely,


JAMES G. MARSHALL
City Manager

JGM:kmd

cc: Police Chief

Dec 3 11 15 AM '86
COMMISSION ON POST

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

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Course Control

(916) 739-5399

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(916) 739-5391

Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

December 8, 1986

James G. Marshall
City Manager
City of Ceres
2720 Second Street
Ceres, California 95307

Dear Jim Marshall:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

NORMAN C. BOEHM
Executive Director

12-11-86



SHERMAN BLOCK, SHERIFF

County of Los Angeles
Office of the Sheriff
Hall of Justice
Los Angeles, California 90012



December 5, 1986

Norman C. Boehm, Executive Director
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

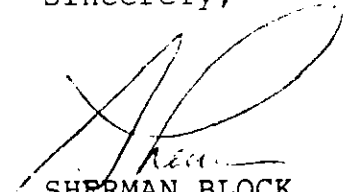
Dear Norm:

The Los Angeles County Sheriff's Department supports amending P.O.S.T. regulations to allow for the reimbursement of training expenses for non-sworn personnel who occupy executive positions.

It is our belief that this change will allow us to fulfill the unmet training needs of the few individuals in our Department who would qualify; it will also enhance the overall quality of our executive staff.

We see this proposed change as a very positive step and view it in a favorable light. Thank you for the opportunity to comment.

Sincerely,


SHERMAN BLOCK
SHERIFF

Dec 11 1986

RECEIVED

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

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Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

December 12, 1986

Sherman Block, Sheriff
County of Los Angeles
Hall of Justice
Los Angeles, CA 90012Dear *Sherman* Block:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

*Norman C. Boehm*NORMAN C. BOEHM
Executive Director

OK
12-8-86

OCEANSIDE

POLICE

DEPARTMENT

LAURENCE R. MARSHALL, CHIEF OF POLICE

December 3, 1986

Norman C. Boehm
Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, California 958116-7083

Dear Director Boehm:

This letter is in response to your recent letter asking for testimony on the proposed amendment of Commission regulations. Specifically, to allow non-sworn employees filling executive positions to attend the Executive Development course and for the reimbursement of training expenses.

I agree with the proposal. With the increase in the utilization of civilians throughout the law enforcement profession, it is imperative that appropriate training be available commensurate with their responsibilities. Civilians with executive authority now occupy command positions. This trend will persist as we continue our search for qualified individuals to satisfy our managerial needs.

Thank you,



Laurence R. Marshall
Chief of Police

DEC 11 1986

COMMUNICATIONS SECTION

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD

SACRAMENTO 95816-7083

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(916) 739-5353

December 12, 1986

Lawrence R. Marshall
Chief of Police
Oceanside Police Department
1617 Mission Avenue
Oceanside, CA 92054

Dear Chief Marshall:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,



NORMAN C. BOEHM
Executive Director



12-9-86

OFFICE OF
SHERIFF
COUNTY OF KINGS

P.O. BOX 986
HANFORD, CALIF. 93232
PHONE 209/582-3211

TOM CLARK
SHERIFF-CORONER
PUBLIC ADMINISTRATOR

December 5, 1986

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards
and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:

I am in support of the proposed change in commission regulations to allow reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the executive development course.

I can understand the reasons for proposing this change. Today's law enforcement agencies are utilizing the talents and professional training of individuals who are not sworn peace officers. These individuals, many times, are placed in positions having administrative control over large support functions. In some cases it would not be appropriate or cost effective to place a sworn peace officer in such positions. The penal powers of a peace officer would not be needed and the high "overhead", retirement, safety workmen's compensation, of a peace officer cause some executive positions to be filled by non-sworn personnel.

Here in Kings County we have an individual who fits this non-sworn executive description. Our Administrative Division is administered by a non-sworn person. He is directly involved in the preparation of the annual budget and the ongoing purchasing process; and this individual administers the sections of Civil and Records, including two supervisors and a staff of eleven, two of which are sworn.

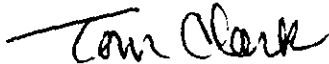
Even though these individuals are not sworn, they are just as much a part of the law enforcement "family" as if they were. They also need the training which is available to the law enforcement executives who are also sworn peace officers.

DEC 11 9 30
SHERIFF-CORONER

Mr. Norman C. Boehm
December 5, 1986
Page Two

Again, please include me with those supporting the proposed change allowing the reimbursement of non-sworn executives attending the executive development course.

Sincerely,

A handwritten signature in cursive script that reads "Tom Clark".

TOM CLARK, SHERIFF-CORONER-PUBLIC ADMINISTRATOR
KINGS COUNTY SHERIFF'S OFFICE

TC:pw

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

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Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

December 15, 1986

Tom Clark
Sheriff-Coroner
Kings County
P.O. Box 986
Hanford, CA 93232Dear ~~Tom~~ Clark:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

NORMAN C. BOEHM
Executive Director



SALVATORE V. ROSANO
CHIEF OF POLICE



POLICE DEPARTMENT

P.O. BOX 1678, SANTA ROSA, CALIF. 95402

TEL: BUSINESS (707) 576-5491

965 SONOMA AVE.

EMERGENCY 528-5222

December 5, 1986

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards
and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Amendment of Commission Regulations and Procedures for non-sworn Executives to attend the Executive Development Course.

This letter, Mr. Boehm, is written in response to your recent announcement of the upcoming public hearing on the above referenced amendment to express my support for the amendment.

Our department has for a number of years looked very closely at the various duties and roles throughout our organization to determine the appropriate classification of employee that can best fill the roles. As a result of our analysis of various functions within our department we have significantly increased the number of non-sworn employees in our department in a variety of technical areas. In addition we have developed career opportunities for non-sworn employees up to and including the executive levels within our department.

Throughout our efforts we have found it difficult to identify and provide meaningful training programs for non-sworn employees at all levels but particularly at the supervisory, management and executive levels. Only in the most recent years have we noticed a slowly emerging trend to provide such training and this proposed amendment before the Commission appears to be a significant step that will have a very positive impact for all law enforcement.

Again, I support the proposed amendment and urge its adoption by the Commission.

Salvatore V. Rosano
SALVATORE V. ROSANO, Chief of Police

SVR/WRH/sr

DEC 11 11 00 AM '86
SAC, SANTA ROSA

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

(916) 739-5328

EXECUTIVE OFFICE

(916) 739-3864

BUREAUS

Administrative Services

(916) 739-5354

Center for Executive

Development

(916) 739-2093

Compliance and Certificates

(916) 739-5377

Information Services

(916) 739-5340

Management Counseling

(916) 739-3868

Standards and Evaluation

(916) 739-3872

Training Delivery Services

(916) 739-5394

Training Program Services

(916) 739-5372

Course Control

(916) 739-5399

Professional Certificates

(916) 739-5391

Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

December 12, 1986

Salvatore V. Rosano
Chief of Police
Santa Rosa Police Department
P.O. Box 1678
Santa Rosa, CA 95402

Dear *Sal* Rosano:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

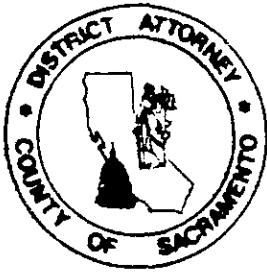
The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

Norman C. Boehm

NORMAN C. BOEHM
Executive Director





OFFICE OF THE
DISTRICT ATTORNEY
SACRAMENTO COUNTY

JOHN DOUGHERTY
District Attorney

KATHRYN CANLIS
Chief Deputy

December 4, 1986

Commission on Peace officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

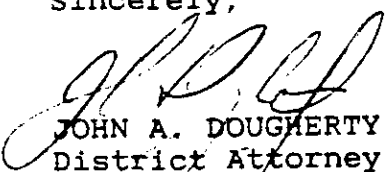
I recently received your Bulletin 86-12, subject the Amendment of Commission Regulations for Non-Sworn Executives to Attend the Executive Development Course. I would be in support of an amendment to the current regulations and procedures to permit P.O.S.T. reimbursement for non-sworn employees who attend the Executive Development Course.

My experience as a local law enforcement manager is that county budgets throughout the state are under a great deal of fiscal pressure to reduce non-mandated function expenditures. One such area which receives the yearly budgetary axe is the training budgets of the local law enforcement offices. The proposed amendment would help alleviate these problems, as well as acknowledge the fact that the training and management development secured in these courses ultimately enures to the benefit of the entire county in terms of more efficient procedures and better inter-agency relationships.

I think it is important that this program be extended to district attorneys' offices because of the daily working relationship that we have with other segments of law enforcement management. I would view our participation in the Executive Development Course not only positive in terms of learning similar procedures and management philosophies, but also as contributing to greater state-wide liaison between all segments of the law enforcement community.

Thank you for your time in allowing me to participate in this amendment process.

Sincerely,


JOHN A. DOUGHERTY
District Attorney

JAD/slc
(POST.LTR)

98, H1 92 2 8 330

LS02 NO NOISSIWW01

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

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Resource Library

(916) 739 5353

December 15, 1986

John A. Dougherty
District Attorney
Sacramento County
P.O. Box 749
Sacramento, CA 95804

Dear Mr. Dougherty:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

NORMAN C. BOEHM
Executive Director

12-19-86

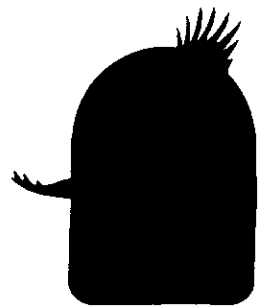
CITY OF WATSONVILLE

WATSONVILLE POLICE DEPARTMENT

P.O. Box 1199

Watsonville, CA 95077

(408) 728-6104



December 15, 1986

RECEIVED
DEC 18 3 19 PM '86

Commission on Peace Officers Standards
& Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Attn: Norman C. BOEHM

Dear Sirs:

In response to P.O.S.T. Bulletin 86-12 announcing a public hearing to amend regulations and procedures for non-sworn executives attending the Executive Development Course, I am writing in opposition to those amendments.

Currently, the P.O.S.T. Administrative Manual, Regulation 1005E, specifies that the Executive Development Course is designed for department heads and their executive staff positions. Regulation 1001J defines an executive position as "a position occupied by a department head, assistant department head, or a position between middle management and department head that is responsible principally for command assignments...is most commonly the rank of captain or higher....". As we have found in our experiences, these sections automatically disqualify lieutenants in our organizations because of existing captains positions, even though the lieutenants are considered to be executive staff positions in our small-mid-size department (48 sworn).

The proposed amendment to Regulation 1014 and Procedure E-1-4-a would allow reimbursement for non-sworn employees, filling executive positions attending the Executive Development Course as long as that position falls within Regulation 1001J.

My argument against these amendments is that a non-sworn executive position is a luxury reserved for large agencies and, even though they may be referred to as executive, they could be subordinate to our lieutenants position if exposed to lateral comparison.

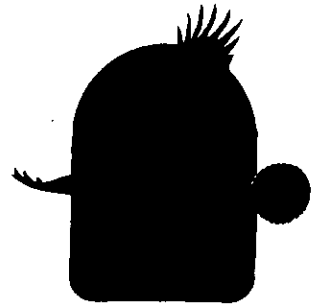
CITY OF WATSONVILLE

WATSONVILLE POLICE DEPARTMENT

P.O. Box 1199

Watsonville, CA 95077

(408) 728-6104



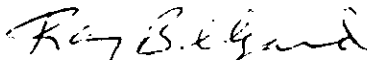
-2-

P.O.S.T. Administrative Manual Procedure E-1-4-a(4) allows reimbursement for full-time non-sworn personnel who attend a certified management course. That person must be "filling a full-time position with functional responsibility in the organization above the position of first_line_supervisor. My interpretation of this procedure is that a non-sworn employee assigned to middle management is equivalent to your definition of a lieutenant's position and should not be elevated without the identical action for middle management.

Without elevating the middle management position definition, the proposed amendments would be discriminatory to smaller agencies and middle management positions in general.

I recommend the adoptions, as proposed, be denied.

Very truly yours,


RAY BELGARD
CHIEF OF POLICE

lm

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

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EXECUTIVE OFFICE

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Course Control

(916) 739-5399

Professional Certificates

(916) 739-5391

Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

December 22, 1986

Ray Belgard
Chief of Police
Watsonville Police Department
P.O. Box 1199
Watsonville, CA 95077

Dear ~~Chief~~ Belgard:

This is to acknowledge your letter regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,



NORMAN C. BOEHM
Executive Director



1248-84



CITY OF MOUNTAIN VIEW
POLICE SERVICES AND FIRE ADMINISTRATION

Fire Telephone: (415) 966-6365
Police Telephone: (415) 966-6350

1000 Villa Street
Mountain View, CA 94041

December 15, 1986

Dr. Norm Boehm
Executive Director
Commission on Peace Officers
Standards & Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

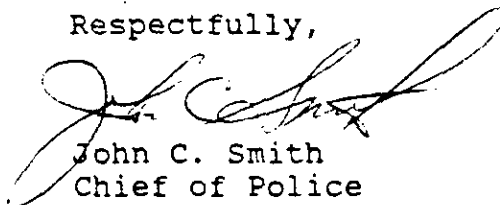
Dear Dr. Boehm:

This letter is to express my support for the proposed amendment to regulation 1014 and procedure E-1-4-a to allow reimbursement to jurisdictions when non-sworn employees fill an executive position as they attend the executive development course.

I believe this proposed change is in the best interest of law enforcement.

Thank you very much.

Respectfully,



John C. Smith
Chief of Police

JCS:alb
ABL48

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COMMISSION ON POST

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

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Reimbursements

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Resource Library

(916) 739-5353

December 18, 1986

John C. Smith
Chief of Police
Mountain View Police Department
1000 Villa Street
Mountain View, CA 94041

Dear Chief Smith:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,



NORMAN C. BOEHM
Executive Director



December 10, 1986

COMMISSION ON PEACE OFFICERS
DEC 12 1 06 PM '86

Norman Boehm
Executive Director
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:

The Livermore Police Department wholeheartedly endorses and supports the concept of allowing for the reimbursement of training expenses for non-sworn personnel occupying an executive position to attend the Executive Development Course.

The Livermore Police Department has a non-sworn executive who has attended the Executive Development Course in 1985 at the expense of the police department. The Department strongly supports equitable training opportunities for all its employees regardless of sworn or non-sworn status. The Livermore Police Department believes that excellence and the practices of law enforcement in the State of California will be enhanced when all the law enforcement employees can be given the opportunity to develop and sharpen their skills.

Your favorable consideration of this proposed change will be very much appreciated.

Respectfully,


MEL NELSON
Chief of Police

MN/dd

cc: ASD Manager

LIVERMORE

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

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EXECUTIVE OFFICE

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BUREAUS

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Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

December 17, 1986

Mel Nelson
Chief of Police
Livermore Police Department
1050 South Livermore Avenue
Livermore, CA 94550

Dear  Nelson:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,



NORMAN C. BOEHM
Executive Director



LOS ANGELES POLICE DEPARTMENT



DARYL F. GATES
Chief of Police

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone:
(213)- 485-5241
Ref#: 2.2

TOM BRADLEY
Mayor

December 23, 1986

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:

The Los Angeles Police Department has reviewed POST Bulletin #86-12 (November 26, 1986) entitled, "Public Hearing-Amendment of Commission Regulations and Procedures for Non-Sworn Executives to Attend the Executive Development Course." The Department strongly supports this proposed amendment.

Within the Los Angeles Police Department, there are presently eight, non-sworn, executive personnel deployed in grades equivalent to the rank of captain or higher. Current regulations prohibit these personnel from attending the Executive Development Course. This exclusion hinders their personal and professional development which, in turn, adversely impacts Department operations.

Our Department is committed to deploying highly qualified civilian personnel in executive positions. Allowing their participation in the Executive Development Course would assist toward achievement of this goal.

If you have additional questions regarding this matter, please have a member of your staff contact Sergeant Christopher West, Training Division, at (213) 485-3149.

Very truly yours,

DARYL F. GATES
Chief of Police

A handwritten signature in dark ink, appearing to read "Wm Rathburn".

WILLIAM M. RATHBURN, Deputy Chief
Commanding Officer
Personnel and Training Bureau

90. H3 90 1 67 330
SUB NO 105600000

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1801 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083GENERAL INFORMATION
(916) 739-5328EXECUTIVE OFFICE
(916) 739-3864

BUREAUS

Administrative Services
(916) 739-5354Center for Executive
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(916) 739-5399Professional Certificates
(916) 739-5391Reimbursements
(916) 739-5367Resource Library
(916) 739-5353

January 5, 1987

William M. Rathburn, Deputy Chief
Commanding Officer
Personnel and Training Bureau
P.O. Box 30158
Los Angeles, CA 90030

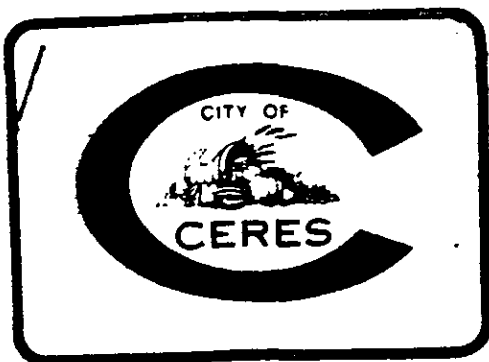
Dear Deputy Chief Rathburn:

This is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

NORMAN C. BOEHM
Executive Director



CITY COUNCIL
Jim Deinart Mayor
Lewis Arrolto Jeffrey D. McKay
Richard McBride Gary Sorlien

December 1, 1986

Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816

SUBJECT: Bulletin 86-12; Notice of Public Hearing - Amendment of
Commission Regulations and Procedures for Non-Sworn
Executives to Attend the Executive Development Course

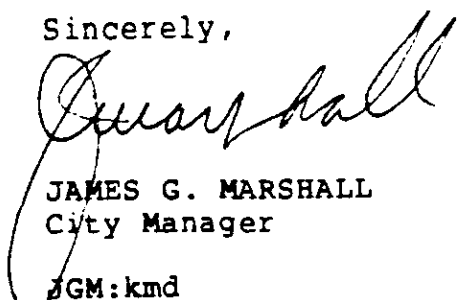
Dear Mr. Boehm:

Please accept this letter as written testimony in support of the amendment of regulation 1014, training for non-sworn and paraprofessional personnel; and, procedure E-1-3 and procedure E-1-4.

It is our understanding that the proposed amendment would allow reimbursement to agencies when non-sworn employees filling executive positions attend the P.O.S.T. Executive Development course. Understandably, agencies must obtain prior written approval from P.O.S.T.

Please present this letter as part of your testimony at the hearing scheduled for January 22, 1987, in San Diego.

Sincerely,


JAMES G. MARSHALL
City Manager

JGM:kmd

cc: Police Chief

DEC 3 11 15 AM '86
COMMISSION ON POST

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

(916) 739-5326

EXECUTIVE OFFICE

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BUREAUS

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Course Control

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Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

December 8, 1986

James G. Marshall
City Manager
City of Ceres
2720 Second Street
Ceres, California 95307

Dear Jim Marshall:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

NORMAN C. BOEHM
Executive Director

12-11-86



SHERMAN BLOCK, SHERIFF

County of Los Angeles

Office of the Sheriff

Hall of Justice

Los Angeles, California 90012



December 5, 1986

Norman C. Boehm, Executive Director
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

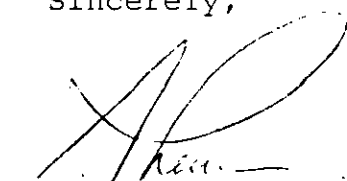
Dear Norm:

The Los Angeles County Sheriff's Department supports amending P.O.S.T. regulations to allow for the reimbursement of training expenses for non-sworn personnel who occupy executive positions.

It is our belief that this change will allow us to fulfill the unmet training needs of the few individuals in our Department who would qualify; it will also enhance the overall quality of our executive staff.

We see this proposed change as a very positive step and view it in a favorable light. Thank you for the opportunity to comment.

Sincerely,


SHERMAN BLOCK
SHERIFF

33, 11 00 1 11 030

NOV 11 1986

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD

SACRAMENTO 95816-7063

GENERAL INFORMATION

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December 12, 1986

Sherman Block, Sheriff
County of Los Angeles
Hall of Justice
Los Angeles, CA 90012

Dear *Sherman* Block:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

Norman C. Boehm

NORMAN C. BOEHM
Executive Director



ON
12-2-86

OCEANSIDE

POLICE

DEPARTMENT

LAURENCE R. MARSHALL, CHIEF OF POLICE

December 3, 1986

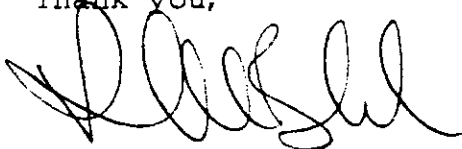
Norman C. Boehm
Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, California 958116-7083

Dear Director Boehm:

This letter is in response to your recent letter asking for testimony on the proposed amendment of Commission regulations. Specifically, to allow non-sworn employees filling executive positions to attend the Executive Development course and for the reimbursement of training expenses.

I agree with the proposal. With the increase in the utilization of civilians throughout the law enforcement profession, it is imperative that appropriate training be available commensurate with their responsibilities. Civilians with executive authority now occupy command positions. This trend will persist as we continue our search for qualified individuals to satisfy our managerial needs.

Thank you,



Laurence R. Marshall
Chief of Police

DEC 11 1986

NOV 11 1986

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

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December 12, 1986

Lawrence R. Marshall
Chief of Police
Oceanside Police Department
1617 Mission Avenue
Oceanside, CA 92054

Dear Chief Marshall:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

NORMAN C. BOEHM
Executive Director

12-9-86

OFFICE OF
SHERIFF
COUNTY OF KINGS

P.O. BOX 986
HANFORD, CALIF. 93232
PHONE 209/582-3211

TOM CLARK
SHERIFF-CORONER
PUBLIC ADMINISTRATOR

December 5, 1986

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards
and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:

I am in support of the proposed change in commission regulations to allow reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the executive development course.

I can understand the reasons for proposing this change. Today's law enforcement agencies are utilizing the talents and professional training of individuals who are not sworn peace officers. These individuals, many times, are placed in positions having administrative control over large support functions. In some cases it would not be appropriate or cost effective to place a sworn peace officer in such positions. The penal powers of a peace officer would not be needed and the high "overhead", retirement, safety workmen's compensation, of a peace officer cause some executive positions to be filled by non-sworn personnel.

Here in Kings County we have an individual who fits this non-sworn executive description. Our Administrative Division is administered by a non-sworn person. He is directly involved in the preparation of the annual budget and the ongoing purchasing process; and this individual administers the sections of Civil and Records, including two supervisors and a staff of eleven, two of which are sworn.

Even though these individuals are not sworn, they are just as much a part of the law enforcement "family" as if they were. They also need the training which is available to the law enforcement executives who are also sworn peace officers.

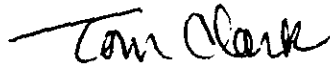
DEC 9 1986

COMMUNICATIONS SECTION

Mr. Norman C. Boehm
December 5, 1986
Page Two

Again, please include me with those supporting the proposed change allowing the reimbursement of non-sworn executives attending the executive development course.

Sincerely,

A handwritten signature in cursive script that reads "Tom Clark". The signature is written in dark ink and is positioned below the word "Sincerely,".

TOM CLARK, SHERIFF-CORONER-PUBLIC ADMINISTRATOR
KINGS COUNTY SHERIFF'S OFFICE

TC:pw

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

(916) 739-5328

EXECUTIVE OFFICE

(916) 739-3864

BUREAUS

Administrative Services

(916) 739-5354

Center for Executive

Development

(916) 739-2093

Compliance and Certificates

(916) 739-5377

Information Services

(916) 739-5340

Management Counseling

(916) 739-3868

Standards and Evaluation

(916) 739-3872

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Course Control

(916) 739-5399

Professional Certificates

(916) 739-5391

Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

December 15, 1986

Tom Clark
Sheriff-Coroner
Kings County
P.O. Box 986
Hanford, CA 93232Dear ~~Tom~~ Clark:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

NORMAN C. BOEHM
Executive Director



SALVATORE V. ROSANO
CHIEF OF POLICE



POLICE DEPARTMENT

P.O. BOX 1678, SANTA ROSA, CALIF. 95402

TEL: BUSINESS (707) 576-5491

965 SONOMA AVE.

EMERGENCY 528-5222

December 5, 1986

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards
and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Amendment of Commission Regulations and Procedures for non-sworn Executives to attend the Executive Development Course.

This letter, Mr. Boehm, is written in response to your recent announcement of the upcoming public hearing on the above referenced amendment to express my support for the amendment.

Our department has for a number of years looked very closely at the various duties and roles throughout our organization to determine the appropriate classification of employee that can best fill the roles. As a result of our analysis of various functions within our department we have significantly increased the number of non-sworn employees in our department in a variety of technical areas. In addition we have developed career opportunities for non-sworn employees up to and including the executive levels within our department.

Throughout our efforts we have found it difficult to identify and provide meaningful training programs for non-sworn employees at all levels but particularly at the supervisory, management and executive levels. Only in the most recent years have we noticed a slowly emerging trend to provide such training and this proposed amendment before the Commission appears to be a significant step that will have a very positive impact for all law enforcement.

Again, I support the proposed amendment and urge its adoption by the Commission.

Salvatore V. Rosano
SALVATORE V. ROSANO, Chief of Police

SVR/WRH/sr

98, M100 1 11 330
500 NO. 101551100

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

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Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

December 12, 1986

Salvatore V. Rosano
Chief of Police
Santa Rosa Police Department
P.O. Box 1678
Santa Rosa, CA 95402

Dear *Sal* Rosano:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

Norman C. Boehm

NORMAN C. BOEHM
Executive Director



CITY OF WATSONVILLE

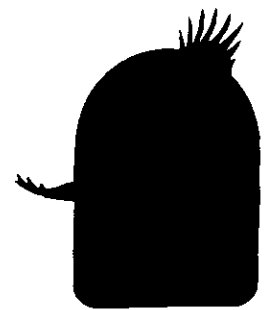
WATSONVILLE POLICE DEPARTMENT

P.O. Box 1199

Watsonville, CA 95077

(408) 728-6104

12-17-86



December 15, 1986

Commission on Peace Officers Standards
& Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Attn: Norman C. BOEHM

Dear Sirs:

In response to P.O.S.T. Bulletin 86-12 announcing a public hearing to amend regulations and procedures for non-sworn executives attending the Executive Development Course, I am writing in opposition to those amendments.

Currently, the P.O.S.T. Administrative Manual, Regulation 1005E, specifies that the Executive Development Course is designed for department heads and their executive staff positions. Regulation 1001J defines an executive position as "a position occupied by a department head, assistant department head, or a position between middle management and department head that is responsible principally for command assignments...is most commonly the rank of captain or higher....". As we have found in our experiences, these sections automatically disqualify lieutenants in our organizations because of existing captains positions, even though the lieutenants are considered to be executive staff positions in our small-mid-size department (48 sworn).

The proposed amendment to Regulation 1014 and Procedure E-1-4-a would allow reimbursement for non-sworn employees, filling executive positions attending the Executive Development Course as long as that position falls within Regulation 1001J.

My argument against these amendments is that a non-sworn executive position is a luxury reserved for large agencies and, even though they may be referred to as executive, they could be subordinate to our lieutenants position if exposed to lateral comparison.

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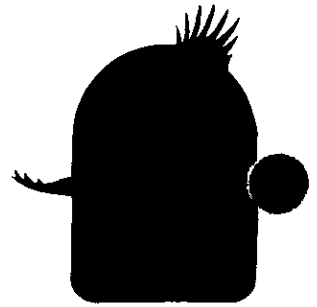
CITY OF WATSONVILLE

WATSONVILLE POLICE DEPARTMENT

P.O. Box 1199

Watsonville, CA 95077

(408) 728-6104



-2-

P.O.S.T. Administrative Manual Procedure E-1-4-a(4) allows reimbursement for full-time non-sworn personnel who attend a certified management course. That person must be "filling a full-time position with functional responsibility in the organization above the position of first_line_supervisor. My interpretation of this procedure is that a non-sworn employee assigned to middle management is equivalent to your definition of a lieutenant's position and should not be elevated without the identical action for middle management.

Without elevating the middle management position definition, the proposed amendments would be discriminatory to smaller agencies and middle management positions in general.

I recommend the adoptions, as proposed, be denied.

Very truly yours,

Ray Belgard
RAY BELGARD
CHIEF OF POLICE

lm

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1801 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

(916) 739-5328

EXECUTIVE OFFICE

(916) 739-3864

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Administrative Services

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Reimbursements

(916) 739-5367

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December 22, 1986

Ray Belgard
Chief of Police
Watsonville Police Department
P.O. Box 1199
Watsonville, CA 95077Dear ~~Chief~~ Belgard:

This is to acknowledge your letter regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,


NORMAN C. BOEHM
Executive Director



12-18-86
CITY OF MOUNTAIN VIEW
POLICE SERVICES AND FIRE ADMINISTRATION

Fire Telephone: (415) 966-6365
Police Telephone: (415) 966-6350

1000 Villa Street
Mountain View, CA 94041

December 15, 1986

Dr. Norm Boehm
Executive Director
Commission on Peace Officers
Standards & Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

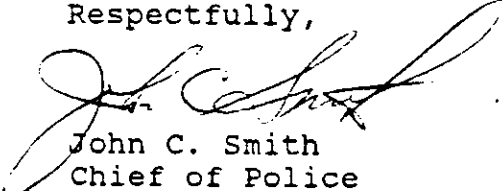
Dear Dr. Boehm:

This letter is to express my support for the proposed amendment to regulation 1014 and procedure E-1-4-a to allow reimbursement to jurisdictions when non-sworn employees fill an executive position as they attend the executive development course.

I believe this proposed change is in the best interest of law enforcement.

Thank you very much.

Respectfully,


John C. Smith
Chief of Police

JCS:alb
ABL48

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COMMISSION ON POST

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083
GENERAL INFORMATION

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Resource Library

(916) 739-5353

December 18, 1986

John C. Smith
Chief of Police
Mountain View Police Department
1000 Villa Street
Mountain View, CA 94041

Dear Chief Smith:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,



NORMAN C. BOEHM
Executive Director



December 10, 1986

Norman Boehm
Executive Director
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

COMMISSION ON PEACE
OFFICER STANDARDS
AND TRAINING
DEC 12 1 06 PM '86

Dear Mr. Boehm:

The Livermore Police Department wholeheartedly endorses and supports the concept of allowing for the reimbursement of training expenses for non-sworn personnel occupying an executive position to attend the Executive Development Course.

The Livermore Police Department has a non-sworn executive who has attended the Executive Development Course in 1985 at the expense of the police department. The Department strongly supports equitable training opportunities for all its employees regardless of sworn or non-sworn status. The Livermore Police Department believes that excellence and the practices of law enforcement in the State of California will be enhanced when all the law enforcement employees can be given the opportunity to develop and sharpen their skills.

Your favorable consideration of this proposed change will be very much appreciated.

Respectfully,


MEL NELSON
Chief of Police

MN/dd

cc: ASD Manager

LIVERMORE

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

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December 17, 1986

Mel Nelson
Chief of Police
Livermore Police Department
1050 South Livermore Avenue
Livermore, CA 94550

Dear *Mel* Nelson:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,



NORMAN C. BOEHM
Executive Director



✓✓

LOS ANGELES POLICE DEPARTMENT



DARYL F. GATES
Chief of Police

1-3-87

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone:
(213) 485-5241
Ref #: 2.2

TOM BRADLEY
Mayor

December 23, 1986

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer
Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:

The Los Angeles Police Department has reviewed POST Bulletin #86-12 (November 26, 1986) entitled, "Public Hearing-Amendment of Commission Regulations and Procedures for Non-Sworn Executives to Attend the Executive Development Course." The Department strongly supports this proposed amendment.

Within the Los Angeles Police Department, there are presently eight, non-sworn, executive personnel deployed in grades equivalent to the rank of captain or higher. Current regulations prohibit these personnel from attending the Executive Development Course. This exclusion hinders their personal and professional development which, in turn, adversely impacts Department operations.

Our Department is committed to deploying highly qualified civilian personnel in executive positions. Allowing their participation in the Executive Development Course would assist toward achievement of this goal.

If you have additional questions regarding this matter, please have a member of your staff contact Sergeant Christopher West, Training Division, at (213) 485-3149.

Very truly yours,

DARYL F. GATES
Chief of Police


WILLIAM M. RATHBURN, Deputy Chief
Commanding Officer
Personnel and Training Bureau

90. HJ 90 1 67 330
SUB NO 10 5000000

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1801 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

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(916) 739-5367

Resource Library

(916) 739-5353

January 5, 1987

William M. Rathburn, Deputy Chief
Commanding Officer
Personnel and Training Bureau
P.O. Box 30158
Los Angeles, CA 90030

Dear Deputy Chief Rathburn:

This is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

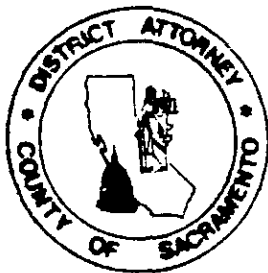
Sincerely,



NORMAN C. BOEHM
Executive Director



CW
12-9-86



OFFICE OF THE
DISTRICT ATTORNEY
SACRAMENTO COUNTY

JOHN DOUGHERTY
District Attorney

KATHRYN CANLIS
Chief Deputy

December 4, 1986

Commission on Peace officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

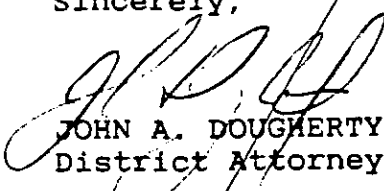
I recently received your Bulletin 86-12, subject the Amendment of Commission Regulations for Non-Sworn Executives to Attend the Executive Development Course. I would be in support of an amendment to the current regulations and procedures to permit P.O.S.T. reimbursement for non-sworn employees who attend the Executive Development Course.

My experience as a local law enforcement manager is that county budgets throughout the state are under a great deal of fiscal pressure to reduce non-mandated function expenditures. One such area which receives the yearly budgetary axe is the training budgets of the local law enforcement offices. The proposed amendment would help alleviate these problems, as well as acknowledge the fact that the training and management development secured in these courses ultimately enures to the benefit of the entire county in terms of more efficient procedures and better inter-agency relationships.

I think it is important that this program be extended to district attorneys' offices because of the daily working relationship that we have with other segments of law enforcement management. I would view our participation in the Executive Development Course not only positive in terms of learning similar procedures and management philosophies, but also as contributing to greater state-wide liaison between all segments of the law enforcement community.

Thank you for your time in allowing me to participate in this amendment process.

Sincerely,


JOHN A. DOUGHERTY
District Attorney

JAD/slc
(POST.LTR)

*1-9-87
This letter was
written by
John Dougherty
JAD*

DEC 2 8 30

COMMUNICATIONS NO. 50

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083

GENERAL INFORMATION

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December 15, 1986

John A. Dougherty
District Attorney
Sacramento County
P.O. Box 749
Sacramento, CA 95804

Dear Mr. Dougherty:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

NORMAN C. BOEHM
Executive Director

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING1601 ALHAMBRA BOULEVARD
SACRAMENTO 95816-7083**GENERAL INFORMATION**

(916) 739-5328

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(916) 739-5353

January 12, 1987

Joseph P. Bonino, Commanding Officer
Records and Identification Division
Los Angeles Police Department
P.O. Box 30158
Los Angeles, CA 90030

Dear Mr. Bonino:

This is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,



NORMAN C. BOEHM
Executive Director



LOS ANGELES POLICE DEPARTMENT



DARYL F. GATES
Chief of Police

TOM BRADLEY
Mayor

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone: (213)
485-2601
Ref #: 9.5

January 6, 1987

Mr. Norman C. Boehm
Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Boehm:

This letter is in support of the proposed amendment to Commission on Peace Officer Standards and Training Regulation 1014 and Procedure E-1-4 for non-sworn executives to attend the Executive Development Course.

Over the past several years, a number of non-sworn individuals have been assigned to executive positions within the Los Angeles Police Department (LAPD). These individuals, including myself, occupy positions that were previously held by sworn personnel in the ranks of captain and above. Among these individuals, one currently oversees the fiscal affairs of the Department (a position previously held by a Deputy Chief), one oversees the Department's computer operations, and others are in charge of transportation, supplies, etc. I am currently assigned as the Commanding Officer of the Records and Identification Division, which includes over 370 employees in various classifications, including sworn lieutenants and below.

The proposed amendment, which would allow non-sworn executive personnel to attend the Executive Development Course and permit reimbursement to agencies for the course fee, would be beneficial to myself and other LAPD non-sworn personnel assigned to executive positions. We have a broad range of responsibility with a major law enforcement agency, and the availability of this course would assist in our development. I am sure that other law enforcement agencies with similar situations would also find this amendment beneficial.

Very truly yours,

DARYL F. GATES
Chief of Police


JOSEPH P. BONINO
Commanding Officer
Records and Identification Division

60 JAN 21 9 11 AM '87

DEPARTMENT OF JUSTICE

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD

SACRAMENTO 95816-7083

GENERAL INFORMATION

(916) 739-5328

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January 14, 1987

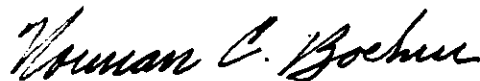
Charles Drescher, Director of Systems
Commanding Officer
Automated Information Division
Los Angeles Police Department
P.O. Box 30158
Los Angeles, CA 90030

Dear Mr. Drescher:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,



NORMAN C. BOEHM
Executive Director



LOS ANGELES POLICE DEPARTMENT



DARYL F. GATES
Chief of Police

TOM BRADLEY
Mayor

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone:
485-3100
Ref#: 9.1

January 7, 1987

Mr. Norman C. Boehm
Executive Director
Commission of Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, California 95816-7083

Dear Mr. Boehm:

This letter is in support of the proposed amendment to Commission on Peace Officer Standards and Training Regulation 1014 and Procedure E-1-4 for non-sworn executives to attend the Executive Development Course.

Over the past several years, a number of non-sworn individuals have been assigned to executive positions within the Los Angeles Police Department (LAPD). These individuals, including myself, occupy positions that were previously held by sworn personnel in the ranks of captain and above. Among these individuals, one currently oversees the fiscal affairs of the Department (a position previously held by a Deputy Chief), one oversees the Department's Records and Identification Division, and others are in charge of transportation, supplies, etc. I am currently assigned as the Commanding Officer of the Automated Information Division, which includes over 80 employees in various classifications, including sworn sergeants and below. This position includes responsibility for the development of all computer and communication systems for LAPD.

The proposed amendment, which would allow non-sworn executive personnel to attend the Executive Development Course and permit reimbursement to agencies for the course fee, would be beneficial to myself and other LAPD non-sworn personnel assigned to executive positions. We have a broad range of responsibility with a major law enforcement agency, and the availability of this course would assist in our development. I am sure that other law enforcement agencies with similar situations would also find this amendment beneficial.

Very truly yours,

DARYL F. GATES
Chief of Police

A handwritten signature in cursive script that reads "Charles Drescher".

CHARLES DRESCHER, Director of Systems
Commanding Officer
Automated Information Division

JAN 12 1 33 PM '87

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1601 ALHAMBRA BOULEVARD

SACRAMENTO 95816-7083

GENERAL INFORMATION

(916) 739-5328

EXECUTIVE OFFICE

(916) 739-3864

BUREAUS*Administrative Services*

(916) 739-5354

*Center for Executive**Development*

(916) 739-2093

Compliance and Certificates

(916) 739-5377

Information Services

(916) 739-5340

Management Counseling

(916) 739-3868

Standards and Evaluation

(916) 739-3872

Training Delivery Services

(916) 739-5394

Training Program Services

(916) 739-5372

Course Control

(916) 739-5399

Professional Certificates

(916) 739-5391

Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353



January 14, 1987

Raymond E. Farmer
Chief of Police
Rialto Police Department
128 N. Willow Avenue
Rialto, CA 92376-5894

Dear Chief Farmer:

This letter is to acknowledge your letter of support regarding the Commission's proposal to change Commission Regulations and Procedures to allow for the reimbursement of training expenses for non-sworn personnel occupying executive positions who attend the Executive Development Course.

The Commission appreciates your input regarding this issue. Your letter will be provided to the Commission for consideration at the January 22, 1987 public hearing.

Sincerely,

NORMAN C. BOEHM
Executive Director



City of Rialto California

POLICE DEPARTMENT

Raymond E. Farmer
Chief of Police

January 8, 1987

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Boehm:

SUBJECT: PROPOSED AMENDMENTS TO REGULATION 1014 AND PROCEDURE E-1-4-a

Please accept my support of the proposed changes to Commission Regulations and Procedures which will provide POST the authority to reimburse jurisdictions when nonsworn, executive employees attend the Executive Development Course. This seems a most timely action as growing numbers of law enforcement agencies recognize the value of hiring and promoting nonsworn personnel into their management ranks. As budgeting, planning, information management and administrative acumen have come to be essential elements of providing effective and efficient police services, the search for human resources possessing the requisite skills and training has increasingly led to capable, but nonsworn, individuals with much to contribute to our efforts.

POST's outstanding Management and Executive Development courses offer an excellent opportunity for command-level staff to gain an appreciation and understanding of important issues that impact executive law enforcement decision making. For many agencies, constrained by continual budgetary insufficiencies, adoption of the proposed changes will mean access to an otherwise unobtainable course of instruction developed by experts in the field to meet the specific and unique professional growth requirements of their police executives. For other jurisdictions it will be the added incentive needed to encourage the development of the best qualified, most competent executive staff possible.

If I can be of further assistance in securing affirmative action on this proposal, please do not hesitate to call upon me.

Sincerely,

RAYMOND E. FARMER, Chief of Police

JAN 12 1 34 PM '87
RECEIVED

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Request for Waiver of the 270-Day Medical and Psychological Examination Limitation		Meeting Date January 22, 1987
Bureau Compliance & Certificate Services	Reviewed By	Researched By David Y. Allan <i>DYA</i>
Executive Director Approval <i>Morgan C. Belton</i>	Date of Approval 1-7-87	Date of Report December 17, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report		Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		

ISSUE

Should the Commission establish a waiver of the 270-day limitation on the medical and psychological examination for peace officer appointments from the ranks of non-sworn community service officer employees?

BACKGROUND

The Sacramento Police Department, on September 24, 1986, requested that Commission Procedure C-2-2, requiring that "Physical and Psychological Suitability Examinations shall be conducted as specified in Government Code Section 1031(f) within 270 days before hire," be re-examined and changed to accommodate the police department's procedure of hiring community service officers who are continuously employed prior to becoming regular police officers. (See Attachment A)

The Sacramento Police Department proposes that their process of providing physical and psychological suitability examinations to community service officers as much as three years prior to appointment as peace officers meets the requirement established by the Commission, and that additional testing would be an unnecessary expense that should not be required of any police agency.

Commission Procedure C-2 (Attachment B) was adopted following a public hearing in January 1985 and became effective July 1, 1985. During the hearing, to establish the psychological suitability examination requirements, the question of time limitations was considered in light of the then existing 60-day-prior-to-hire requirement of the physical examination.

Testimony was received indicating that many agencies conducted background investigations and medical and psychological suitability examinations immediately prior to appointing applicants as trainees and assigning them to Basic Course Academies. Such trainees, upon successful completion of the Basic Course, were then appointed or promoted to classifications with peace officer powers. It was proposed that the 60-day limitation for medical examination be extended and a similar time limit be established for the psychological suitability examination to accommodate the above-described situation.

It was recognized that pre-employment background investigations and medical examinations may occur up to two months prior to appointment of a trainee, and Basic Course training may require up to six months. Based on those possibilities,

the Commission arrived at the conclusion that both the physical and psychological suitability examinations should occur within 270 days (nine months) prior to appointment as a peace officer, and the concept was enacted as Commission Procedure C-2-2.

ANALYSIS

Although a non-sworn employee may function under the watchful eye of the employer, such an individual serving as a community services officer is not subjected to the stresses associated with performance as a peace officer. A re-examination of the individual's medical and psychological condition prior to appointment to the level of a peace officer may reveal changes in these conditions if the time span between the non-sworn and peace officer appointments is extended. Such periods approximate up to three years in the Sacramento Police Department between employment as a community service officer and appointment as a peace officer.

While evidence of a reasonable period over which reliability of psychological examinations is absent in the literature, psychologists suggest that reliability of such examinations would be reduced after one year, particularly in young people. Medical condition is of course subject to changes at any time through injury or the onset of disease.

The 270-day limitation was established after consideration of the practical aspects of normal screening, training, and appointment practices. The Sacramento Police Department's request for waiver of the 270-day time limit for continuously employed community service officers is a request in that vein--a request to recognize their screening/appointment process.

The Sacramento Police Department's Community Service Officer Program is commendable. To allow the initial screening, however, to years later satisfy peace officer selection standards presents the following problems:

1. There is a lack of apparent cause to believe that changes in medical or psychological conditions would be apparent from observation of job performance as a community service officer.
2. There is a lack of apparent cause to believe that medical and psychological conditions would remain static over a several-year period.
3. There is a presumption that there be timeliness associated with pre-screening of peace officer candidates as required by state law and Commission regulations. Timeliness would be lost with an open-ended waiver as requested.
4. Other departments may request a similar waiver for other non-sworn or reserve officer personnel.

RECOMMENDATION

If the Commission concurs with the above analysis, it is recommended that no changes to Commission Procedure C-2 be initiated. If the Commission wishes to consider altering the 270-day limitation for physical or psychological suitability examinations, a public hearing will be required.



CITY OF SACRAMENTO

DEPARTMENT OF POLICE
HALL OF JUSTICE
813 - 6TH STREET
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5121

JOHN P. KEARNS
CHIEF OF POLICE

September 24, 1986

Ref: 9-58

Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
1601 Alhambra Blvd.
Sacramento, California 95816

Dear Mr. Boehm:

On September 19, 1986, Ray Bray, a Senior Consultant from POST, visited the Sacramento Police Department. Part of that visit focused on the backgrounding process of our new officers, particularly the physical and psychological examinations. These new police officers had been community service officers employed by this department, and they were transitioned into the position of police officers. In examining our process, Mr. Bray stated that he felt that we were not up to standard when it came to our physical and psychological examinations for these new employees.

The POST Administrative Manual under Commission Procedure C-2 Subsection 2-2 states that "physical and psychological suitability examinations shall be conducted as specified in Government Code Section 1031(f), within 270 days before hire."

The Government Code Section 1031(f) states that those examinations must be conducted, there is no reference to the time period for those examinations.

The situation at hand is this; the Sacramento Police Department has, for the past eleven years, hired community service officers and transitioned those persons into the police officer positions. The selection, testing and training process has been identical to our standard set for hiring of police officers. We have been conducting psychological examinations for all candidates since 1979.

In other words, when a person is hired as a community service officer, every standard established by POST and the government code is fulfilled. After a community service officer has been with the department for at least one year, we change their status to that of a police officer. Herein lies the problem. The POST standard says that a physical and psychological must be completed within 270 days.

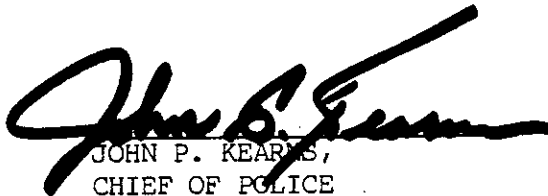
September 24, 1986

I request that the commission examine that standard. I further request that you include an exception in the instance where an agency meets the standard for employment of a police officer, but elects to employ that person first as a "police officer trainee" (community service officer in our department), and that person is continuously employed by that department before becoming a full-fledged police officer.

The Community Service Officer Program used by the Sacramento Police Department, is a training program for future police officers. They perform limited police functions; report taking, accident investigation, etc. While using the same testing, selection, backgrounding and training as we do for police officers, we have the opportunity to further evaluate their performance in the police setting.

The purpose of the law and the POST requirement is to ensure the selection of police officers who are both physically and mentally suited for that job. We believe that the Sacramento Police Department has added one additional dimension to the program. We believe that our process meets the requirement as stated in Government Code 1031(f), and meets the spirit of the requirement as established by the POST Commission. Our community service officers have been continuously employed since passing their physical and psychological examinations. Additional testing would be an unnecessary expense that should not be required of any police agency. It is for that reason that I request the 270 day provision be reexamined and changed.

Sincerely,



JOHN P. KEARNS,
CHIEF OF POLICE

JPK/dg

POST Administrative Manual

COMMISSION PROCEDURE C-2
Revised: January 24, 1985

Procedure C-2 was incorporated by reference into Commission Regulation 1002(a)(7), on April 15, 1982 and revised and incorporated with Commission Regulation 1002(a)(7) on October 18, 1984. A public hearing is required prior to revision of this directive.

PHYSICAL AND PSYCHOLOGICAL SUITABILITY EXAMINATIONS

Purpose

2-1. Physical and Psychological Suitability Examinations: This Commission procedure implements the physical and psychological suitability examinations requirements established in Section 1002(a)(7) of the Regulations. The purpose of the physical examination is to select personnel who are physically sound and free from any physical condition which would probably adversely affect their performance as a peace officer. The purpose of the psychological suitability examination is to select personnel who are free from any mental or emotional condition which might adversely affect their performance as a peace officer. The POST "Medical Screening Manual," or its equivalent, should be followed in conducting the physical evaluation. The "POST Psychological Screening Manual," or its equivalent, should be followed in conducting the psychological suitability evaluation.

Procedure

2-2. Physical and Psychological Suitability Examinations: The physical and psychological suitability examinations shall be conducted as specified in Government Code Section 1031(f) within 270 days before hire.

2-3. Medical History: Each candidate must supply to the examining physician a statement of the medical history of past and present conditions, diseases, injuries or operations.

2-4. Vision and Hearing: The hiring authority shall establish minimum standards for hearing, color vision and visual acuity, and is responsible for determining that each candidate meets those standards.

2-5. Physician's Findings and Record: The physician shall record findings of the examination on appropriate forms and shall note thereon, for evaluation by the appointing authority, any past or present physical conditions, diseases, injuries, operations, or any evidence or indications of mental conditions displayed by the candidate which should be further evaluated by competent professionals. The completed form(s) shall be retained by the local jurisdiction.

2-6. Psychological Suitability: Peace officer applicants shall be judged to be free from job-relevant psychopathology, including personality disorders, as diagnosed by a qualified professional, described in Government Code Section 1031(f). References which may be used in making this determination are identified in the "POST Psychological Screening Manual."

2-7. Psychological Suitability Examination: Psychological suitability shall be determined on the basis of psychological test score information which has been interpreted by a qualified professional. A minimum of two psychological tests shall be used. One must be normed in such a manner as to identify patterns of abnormal behavior; the other must be oriented toward assessing relevant dimensions of normal behavior.

2-8. Clinical Interview: All final recommendations to disqualify candidates for psychological unsuitability shall be based, in part, on a clinical interview conducted by a qualified professional. An interview shall also be conducted when objective test data are inconclusive.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Basic Course Pre-Employment Academy Evaluation Report		Meeting Date January 23, 1987
Bureau Training Program Services	Reviewed By Glen Fine	Researched By Hal Snow
Executive Director Approval <i>Mouman C. Beelun</i>	Date of Approval 12-29-86	Date of Report October 18, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact		<input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission continue the present Extended Format Basic Courses certified to meet pre-employment training needs?

BACKGROUND

At the July 1983 meeting, the Commission temporarily suspended the certification of extended format Basic Courses and directed staff to prepare a report addressing the basic training delivery system. The study was prompted by three pending requests for certification of extended format courses to be presented by community colleges. These courses would almost exclusively provide training for students not currently employed by law enforcement agencies. In an "extended" format, training is given on evenings and weekends over a period of several months. The primary concern was the potential impact of additional academies on the overall basic training system.

At the January 1984 meeting, the Commission received a staff report concluding that, though studies to date leave serious reservations about the need to increase the number of presenters, sufficiently compelling reasons to deny pending certifications on a pilot basis did not seem apparent. In effect, a pilot would complete this study by adding the element of experience. Therefore, the Commission removed the previous moratorium on certification applications for pre-employment, extended format basic academies and authorized certification of Napa Valley Community College, Imperial Valley Community College, and Southwestern Community College for purposes of conducting a three-year pilot study. The Commission deferred a further policy decision on this subject until after the study was conducted to monitor and evaluate the effects on the overall basic training system of these types of new certifications. Further, those institutions which met POST's qualifications and were certified under this pilot program are subject to a certification sunset of January 31, 1987.

The above Commission action relates to those extended format basic academies certified to predominately meet pre-employment training needs. Not at issue in the above Commission action and study are the twelve extended format basic academies previously certified to existing intensive format presenters nor San Joaquin Delta College which was certified in 1981 to primarily meet Level I reserve officer training needs in the San Joaquin County area. Imperial Valley College subsequently withdrew its certification request. Therefore, this study concerns the evaluation of only Southwestern and Napa Valley Colleges.

ANALYSIS

This study considered the following factors in evaluating the effect of certifying these pilot pre-employment, extended format basic courses:

1. Impact on Basic Training System
2. Quality of graduates
3. Success of graduates in becoming employed in law enforcement
4. Compliance with POST certification requirements
5. Expenditures of POST staff and resources

Results are summarized below.

Impact on Basic Training System

Impact on the basic training delivery's system relates to the issue of proliferation of academies to the detriment of existing academies by draining away their students. There is widespread belief that POST already has an excessive number of academies, and to certify additional presenters serves only to dilute the effectiveness of existing presenters. It is observed that reduced numbers of trainees cause a reduced level of revenue to support quality instruction. On the other hand, many law enforcement agency administrators support additional basic academies, particularly extended formats, because of their ability to graduate pre-employment students thus creating an already trained manpower pool from which to select.

In the case of Southwestern College, no negative impact on other academies in close proximity was detected. This is because Southwestern College has the only pre-employment academy in the county. In Napa Valley College's case, however, evidence (Attachment A) exists that there has been negative impact on nearby academies. Los Medanos and Santa Rosa academies have both experienced reduced enrollment in their extended format academy courses while Napa's enrollment has increased. Napa Valley College is 30-40 minutes driving time away. The effect of certifying these pilot academies on the basic delivery system at large is also difficult to measure. Attachment A indicates the number of annual graduates and presentations for each pilot academy.

Quality of Graduates

Comparing the quality of Basic Course graduates is difficult because of differing expectations and lack of standard measures other than the POST Proficiency Test. POST Proficiency Test results indicate the scores from Napa Valley College are at the statewide average for one presentation and somewhat below that average for a second presentation. (See Attachment A.) Proficiency Test results on Southwestern College are, however, significantly lower than the statewide average for two presentations. Results suggest there is a serious problem with student reading comprehension and thus the student selection process. Results also suggest there is a problem with curriculum mastery which can only partially be attributable to lack of reading skill. Southwestern College Academy has agreed to establish corrective pre-screening of students

and instructional changes necessary to improve Proficiency Test results. Based upon the opinions of seven employing agencies of pilot academies, the quality of pilot academy graduates is high and comparable to intensive format graduates. (See Attachment B for a summary of these opinions.) The increasing use of pre-screening devices has assisted pilot and other pre-employment academies to produce quality graduates.

Success Of Graduates In Becoming Employed In Law Enforcement

It appears that the majority of pre-employment graduates from the pilot academies are becoming employed in law enforcement or appointed as reserve peace officers. Attachment C indicates that 73% of the pre-employment graduates have become regular or reserve peace officers, which appears to fulfill a need for law enforcement agencies.

Compliance With POST's Certification Requirements

Both pilot academies are complying with POST's certification requirements. Both academies have successfully completed a Basic Course Certification Review, which is POST's most thorough analysis of an academy's operations.

Expenditures of POST Staff and Resources

POST has experienced some increased workload but no significant impact from these two academies. Since virtually all trainees attend on a pre-employment status, no POST reimbursement is expended for their attendance.

Both pilot academies have invested considerable effort and resources in developing their programs and capability to offer basic training. Even though results of this study are somewhat inconclusive as to whether these academies should be continued, it would be impractical to decertify them at this point. It is believed that further study would continue to yield similar results, particularly with regard to the impact upon the basic training delivery system.

RECOMMENDATION

Remove the certification sunset for the pilot extended format academies and continue certification subject to the annual POST re-certification process.

Extended Format Attendees

<u>Fiscal Year (Starting Date)</u>	<u>Napa College</u>	<u>Los Medanos College</u>	<u>Santa Rosa College</u>
1983-84	-	33	20
1984-85	24	29	19
1985-86	(2) 43	18	12

(classes)

Annual Graduates and Presentations
For Pilot Pre-Employment Academies

<u>Fiscal Year</u>	<u>Napa Valley College</u>		<u>Southwestern College</u>	
	Presentations	Graduates	Presentations	Graduates
1984-85	<u>1</u>	<u>24</u>	<u>2</u>	<u>83</u>
1985-86	<u>2</u>	<u>43</u>	<u>2</u>	<u>41</u>
1986-87 (Projected)	<u>2</u>	<u>50</u>	<u>2</u>	<u>80</u>

POST Proficiency Exam Results
For Pilot Academies*

	<u>Napa Valley College</u>		<u>Southwestern College</u>	
	Presentation #1	Presentation #2	Presentation #1	Presentation #2
Curriculum Mastery	54.8 (51.3)	47.3 (50.9)	44.4 (51.6)	43.4 (51.2)
Reading Comprehension	50.7 (50.5)	48.2 (50.1)	45.9 (50.7)	46.4 (50.1)
Instructional Effect	55.5 (55.5)	47.5 (50.1)	44.7 (51.3)	43.8 (50.5)

*Scores are presented in averages

() State Average

Interview Results of Law Enforcement Agency
Employers of Pre-Employment/Extended
Format Basic Course Graduates

Sue Park, Training Manager of Vallejo Police Department

"The department has hired three Napa Valley College extended format graduates and is very satisfied with their quality. The extended format academy has enabled the department to hire these graduates who were former department reserve officers."

John Eisler, Training Manager of Vacaville Police Department

"The department has employed two extended format Basic Course graduates to date. The department employs already trained persons exclusively, whether pre-employment or laterals. The extended format Basic Course is considered a valuable service for law enforcement. The department considers such graduates as generally having a great deal of sincerity, dedication and motivation."

Dennis Guard, Captain of Benicia Police Department

"The department has had good success with extended format, pre-employment graduates of Napa, Los Medanos and Santa Rosa. The quality of graduates is no different than intensive format. Pre-employment graduates are easier to recruit as they are more accessible."

Bill Rettle, Chief of Sonoma Police Department

"The pre-employment academies have benefited this department. It makes keeping our contract peace officer positions filled much easier. The quality of graduates are comparable to intensive format graduates. The agency has hired 18 such graduates, mostly from Napa and Santa Rosa extended format academies. The agency aggressively recruits officers during the academy sessions."

Dan Wolf, Training Manager of Chula Vista Police Department

"The department has employed six Southwestern College extended format basic academy graduates and is pleased with their quality. We aggressively recruit laterals and already basic-trained officers. Four of the six were previous reserve officers with our department. In addition to the six regular officers, we have appointed numerous designated Level I reserve officers from Southwestern graduates. We have noticed no differences in the quality of extended format and lateral officers. The extended format is a very beneficial program for our agency."

Gerald Boyd, Chief of Coronado Police Department

"I have hired three recent graduates of Southwestern College extended format and am satisfied with their quality. The extended format serves a real purpose in providing an opportunity for some people who otherwise would never become peace officers. I have observed no differences, neither better nor worse, between Southwestern's graduates and graduates of other academies."

Terry E. Hart, Chief of National City Police Department

"The department has hired approximately four Southwestern College extended format graduates after rejecting approximately three times that number. Two of these graduates were former department reserve officers. The department, which hires exclusively laterals or academy graduates, is satisfied with Southwestern's graduates. I personally give each applicant a three-hour rigorous interview to determine the extent of their understanding and knowledge, particularly on legal aspects. I am somewhat disappointed with the quality of all graduates. I suspect some academies are teaching students to pass tests but not understand how to apply the knowledge. I have noticed no difference in Southwestern's graduates and others."

Placements For Pilot Academies

		Placements			Non Placement		
		<u>Graduates</u>	<u>Regular Peace Officers</u>	<u>Reserve Peace Officers</u>	<u>Private Security</u>	<u>Students</u>	<u>Other</u>
Napa College (1984-85)	24	13	2	1	1	7	
(Class 1)							
Southwestern College (1984-85)	49	22	10				17
(Class 1)							
(1985-86)	62	34	16	1			11
(Class 2)							

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Basic Course Attendees vs. Graduates
for the 1985-86 Fiscal Year

Chart 1

	<u>Attendees</u>	<u>Graduates</u>	<u>% Failure Attrition</u>
Intensive Format	5,264	4,307	18%
Extended Format	703	557	21%
Total*	5,967	4,864	18.4%

*Includes all trainees without regard to reimbursement status

New and Lateral Hires for the 1985/86 Fiscal Year

Chart 2

<u>Rank</u>	<u>REGULAR PROGRAM</u>		<u>SPECIALIZED PROGRAM</u>	
	<u>New</u>	<u>Lateral</u>	<u>New</u>	<u>Lateral</u>
PO	1,752	466	19	7
Deputy	1,117	188		
Deputy Marshal	0	0	36	48
Ward	0	0	2	6
Ranger	0	0	3	1
Investigator	2	0	37	68
Juvenile Officer	0	0	0	0
Agent	0	0	0	0
Reserve	<u>857</u>	46	<u>0</u>	0
Total	3,729		97	

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Marketing Agreement - CAIVI Program For PC 832 Course		Meeting Date January 29, 1987
Bureau Training Program Services	Reviewed By H. Snow	Researched By G. Niesl
Executive Director Approval <i>Thomas C. Becken</i>	Date of Approval 12-16-86	Date of Report December 10, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No		
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		

ISSUE

Authorization for award of contract to market and distribute the Computer-Assisted Interactive Video Instruction (CAIVI) program, Peace Officer Required Training.

BACKGROUND

At its October 1985 meeting, the Commission approved the award of contract to Reflective Media Systems Inc., to develop by early 1987 a CAIVI program for training peace officers as required by California Penal Code Section 832. In April 1986, the Commission directed staff to pursue the idea of entering into an agreement with vendors for the marketing of such a CAIVI program outside the State of California, and POST receiving royalties from the sales. After appropriate study and review, a proposed contract has been prepared and Commission approval of award of the marketing/distribution contract is requested at this time.

ANALYSIS

The proposed agreement on marketing and distribution of POST's first interactive videodisc training program is based on a similar agreement (on distribution of films), between the California Department of Justice and AIMS Instructional Media Services, Inc., which has been in existence for more than ten years.

The proposed agreement would be between POST and the co-contractor in the development of the PC 832 CAIVI program, Comsell, Inc., of Atlanta, Georgia. Contracting for marketing of the program with the program's developer is advantageous to the State and to POST, in that the developer has a greater incentive to develop and maintain the best (most sellable) program possible for the money available.

In brief, by terms of the agreement, the producer (POST) agrees:

- o to grant sole marketing and distribution rights outside of California for its proprietary program "Peace Officer Required Training" to the distributor. Specifically, the program includes appropriate textual material, computer micro discs, and laser videodiscs for each of the three courses that are part of the recommended PC 832 training.
- o to make available to the distributor the master videodisc, software, and source materials relating to the program.

The distributor (Comsell) agrees:

- o to use its best efforts to sell, promote, market, and distribute the producer's program.
- o to attend major conventions and expend a minimum of \$40,000 during the first year on advertising, promoting, etc.
- o to make quarterly payments to the producer of 12 percent of receipts from gross sales and rentals of the program, accompanied by an itemized statement.

POST would agree to grant such rights to the distributor for a term of three years. Although a relatively short period for an agreement of this type, given the start-up costs of the distributor and the time needed to market a new product, the term would be sufficient for both the producer and the distributor to determine if the agreement is satisfactory, or if modifications of the agreement (royalty rates, etc.) are in order, for both parties to renew the agreement.

Subject to Commission approval and agreement by the Department of Finance, the monies received from the sale of the Peace Officer Required Training program will be deposited in a special fund to be used by POST to maintain this program, replicate and distribute it in California, and develop other training programs using high technology.

Approval of "sole source" contracting has already been received from the Department of General Services. Subject to review and approval by attorneys representing each party to the contract, the contract can then be submitted to the Department of General Services for processing. Commission authorization to sign the contract will enable the distributor to carry out terms of the contract immediately following development and pilot testing of the CAIVI program in mid 1987.

RECOMMENDATION

Authorize the Executive Director to sign a contract with Comsell, Inc., to market and distribute the CAIVI program on PC 832 training.

A G R E E M E N T

THIS AGREEMENT is made this ____ day of _____, 19__, at Sacramento, California, between Comsell, Inc., a Georgia corporation, having its office at 500 Tech Parkway, Atlanta, Georgia 30313 (hereinafter referred to as the "Distributor"), and the California Commission on Peace Officer Standards and Training (POST) - (hereinafter referred to as the "Producer").

RECITALS

The following recitals of fact are agreed by the parties to be true as of the date hereinabove:

1. Producer is desirous of having a computer-assisted, interactive videodisc instruction (CAIVI) program distributed by Distributor.
2. Distributor is desirous of distributing Producer's CAIVI program upon the terms and conditions as hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is agreed as follows:

1. Distributor agrees to use its best efforts to sell, promote, market, and distribute Producer's CAIVI program, or cause it to be sold, promoted, marketed and distributed by others according to provisions contained

herein, using direct mail and direct contact, as well as other sales techniques consistent with good business practice. These efforts are to include the printing and distribution of literature and catalogs in necessary quantities at the sole expense of the Distributor.

- 1a. Distributor further agrees that, in addition to the other provisions of this Paragraph 1, it will cause its personnel or representatives to attend a minimum of two major national conventions, including but not limited to conventions of law enforcement officials, during the first year of this Agreement and every year thereafter within the term hereof.
- 1b. Distributor further agrees to expend a minimum of \$40,000 on advertising, promotion, film, videodisc and tape copying, sales training, trade shows attendance and related expenses during the first year of this Agreement, and agrees to make a report documenting the expenditure of at least said sum within 30 days following the end of the first year of this Agreement.
2. It is hereby agreed by the parties that nothing in this Agreement shall apply to the distribution of the CAIVI program to public agencies employing peace officers within the boundaries of the State of California and that all references to the distribution rights contained herein shall be construed as referring exclusively to distribution outside of said state except for distribution to private agencies within the boundaries of the State of California.

3. Producer grants to Distributor all distribution rights, as set forth in Paragraph 8, to the computer-assisted interactive videodisc instruction program (hereinafter referred to as the CAIVI program) listed on Exhibit B hereto and such written materials relating thereto. Expressly excluded from such rights, however, is the right to distribute or reveal the confidential test items relating to Basic Course performance objectives developed by the State of California.

3a. Distributor shall have the right to add its name to the titles of the CAIVI program.

4. Producer agrees to make available to the Distributor all pre-print materials which presently exist and are available to the Producer within 20 days of the effective date of this Agreement. Producer further agrees to pay costs for storage of the videodisc masters to the CAIVI program, and to release, at cost, to the Distributor replicas of each master videodisc at such time and in such manner as the Distributor specifies. Producer further agrees to make available other original/source software produced as part of the CAIVI program and subject to this Agreement, excepting that relating to the confidential test items mentioned in Recital Three hereinabove, within 20 days of Producer's receipt of said masters and originals. Distributor agrees that elements so made available to the Distributor will not be released to others, and further agrees to take normal precautions against loss of such elements.

4a. Producer agrees to deliver such written materials as are produced accompanying the CAIVI program to Distributor at mutually agreed times and places.

5. Nothing contained in this Agreement shall be deemed to constitute the relationship between Distributor and Producer as that of Partners or joint adventurers, nor to create between them the relationship of principal and agent, or employer and employee. It is expressly intended and agreed that the relationship between Producer and Distributor shall be that of independent contractors.
6. Producer represents and warrants to Distributor that as of the date of deposit of the completed CAIVI program masters and originals, as provided in Paragraph 4 hereinabove, there will not be any adverse liens or claims of any nature upon or with respect to the film(s), software or any material(s) contained therein or synchronized therewith, except as provided in Recitals 3 and 4 hereinabove.
7. Except as provided in Recitals 3 and 4 hereinabove, Producer expressly represents and warrants that he owns all rights to the CAIVI program and has obtained all necessary releases, permits, waivers and other documents related to and required in connection with the production of the CAIVI program. Producer represents and warrants that all sound and film material(s) to be used and used in the CAIVI program, shall not and does not violate or infringe any name, trademarks, trade name, copyright, literary, artistic, musical, motion picture or dramatic right, or any personal, private, civic or property right, or the right or rights of privacy of any person, firm or corporation, and that said materials may be used by Distributor for each and all of the purposes for which rights have been herein granted the Distributor, including world wide television release. Distributor may defend such claims, proceedings or suits brought against Distributor by virtue of any alleged breach or violation of the terms of

this paragraph 7, and any and all expenses incurred in connection therewith by Distributor, including attorney's fees, or judgments recovered against Distributor arising therefrom, may be deducted by Distributor from any and all royalty payments due from Distributor to Producer as hereinafter provided in Paragraph 12 of this Agreement, or Distributor may enforce any such liability of Producer to Distributor in any other lawful manner. Distributor agrees to give notice to Producer within 72 (seventy-two) hours of receipt by Distributor of written or oral communication of the assertion of any claim against the CAIVI program and/or the Producer and/or the Distributor, and Producer shall have the right to provide legal counsel of Producer's choice and at Producer's expense in connection with the defense of any such asserted claim. The failure of Distributor to give notice of the assertion of a particular claim within the time provided hereinabove, shall relieve Producer of any obligation under this Paragraph as to such specific claim. The master videodisc(s) and controlling software shall be owned by Producer and are deposited in the manner set forth in Paragraph 4 for the purpose of making release prints.

8. Except as provided in Paragraph 2 hereinabove, Producer hereby grants to Distributor, and Distributor hereby accepts from Producer, the sole, exclusive and unrestricted right, license and privilege to reproduce, exhibit, sell, rent and distribute, or cause to be reproduced, exhibited, sold, rented and distributed, release copies of videodiscs, control diskettes and adjunctive printed material, in any and all versions throughout the entire world. It is agreed that said grant and license is for the term of three years from the date of this Agreement, unless sooner terminated in accordance with the provisions of this Agreement. Distributor shall have the option to renew this Agreement for a period of three years.

Said option shall be exercised by written notice given to Producer at least 30 (thirty) days prior to the expiration of the term of this Agreement.

9. Producer agrees to promptly turn over to Distributor all extra-California inquiries or orders respecting the CAIVI program that Producer may receive, and Producer agrees that he will not sell, license the use of, trade in, or exhibit the CAIVI program for monetary or other return without the written consent of Distributor. The Agreement of the parties in this Paragraph 9 is expressly subject to Producer's unlimited right to distribution, licensing, or exhibition of the CAIVI program in public agencies employing peace officers within the State of California.
10. All initial costs of development and production of CAIVI program, including video tape mastering, videodisc mastering, trial testing, instructional design, computer programming, debugging, print-ready mastering of adjunctive material, etc., shall be borne by the Producer. The costs of all positives, preview copies, release copies, advertising, publicity, selling and distribution incident to the marketing of the CAIVI program, shall be borne by Distributor.
11. Producer shall furnish Distributor with all negatives or positives of still photographs which it has available or can procure from its agents or contractors. Distributor shall have the right to use said negatives and stills for any and all purposes which it may desire in connection with publicity, promotional material and supplementary text material. Distributor will sustain all other costs in connection with printing promotional materials. Distributor agrees to return such materials after use. Distributor agrees to submit all promotional material to Producer

(care of Head, Information Services Bureau, at the Producer's above office) prior to the dissemination thereof. Producer agrees that it will not unreasonably withhold approval of said materials and that approval or disapproval will be granted within three business days from the time of receipt, in accordance with the terms of this paragraph by Producer.

12. Distributor agrees to pay Producer for the performance by the Producer of his obligations hereunder, and in consideration of the agreements, representations and warranties of Producer herein set forth, the following sums in the following manner:

- 12a. Producer shall receive a royalty payment for each release copy of the CAIVI program sold or rented by Distributor equal to the sum of 12 percent of the gross revenues (excluding sales tax and shipping charges), with the following exceptions:

1. No royalty shall be paid on short sections of the CAIVI program sold for repair or replacement purposes only.
2. No royalty shall be paid on any copies for use by Distributor for preview, demonstration or promotion purposes.

13. Distributor shall, within 30 (thirty) days after the last day of each fiscal quarter, mail to Producer payment for royalties earned during the preceding fiscal quarter from the sale of said CAIVI program together with an itemized statement thereof. Royalties shall be considered earned based upon collection of monies from the customer. At the time of such

royalty payments, Distributor will deliver to Producer a written report (which may be in the form of an informal letter) outlining distribution steps taken within the quarter for which the royalty payment accompanying said report is being made.

14. Distributor shall keep accurate records of all release copies made of the CAIVI program and all such copies sold and such records shall be open to inspection by Producer during reasonable business hours at the principal office of Distributor.
15. Notices or demands under this Agreement shall be in writing. They shall be served either personally, or by mail or by telegram. Personally served notice or demand is deemed given at the time of service. If served by mail, the notice or demand shall be deemed given 72 (seventy-two) hours after the deposit thereof in the United States mail, postage prepaid, addressed to the party to whom such notice or demand is to be given. If served by telegram, notice or demand shall be conclusively deemed given at the time the telegraphic agency shall confirm to the sender the delivery thereof to the addressee. Any notice or demand to Distributor shall be given to it at 500 Tech Parkway, Atlanta, Georgia, 30313. Any notice or demand to Producer shall be given to it at 1601 Alhambra Boulevard, Sacramento, California 95816-7083. Either party may give written notice of change of address, in which event any such notice or demand shall thereafter be given as above provided at such changed address.
16. Distributor shall not sell, assign or transfer this Agreement without first notifying Producer. If, within 90 days following such notification, Producer disapproves or rejects the sale, assignment or transfer

of this Agreement, this Distributor will cease all sales efforts hereunder within six months of receipt of such notice of disapproval or rejection and shall within six months after ceasing sales efforts discontinue making any sales hereunder. This does not preclude the Distributer's right to appoint dealers/sub-distributors subject to the Producer's approval, which will not be unreasonably withheld. Any attempted sale, transfer or assignment by Distributor in conflict with the procedures prescribed by this Paragraph 16 shall be invalid and of no effect. Producer shall not assign, sell or transfer this Agreement without first obtaining the written consent of Distributor. Any attempted assignment, sale or transfer by Producer without Distributor's prior written consent shall be invalid.

17. This Agreement supersedes any and all other agreement either oral or in writing, between the parties hereto with respect to the subject matter hereof and contains all of the covenants and agreements between the parties with respect to said matter, and each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement, statement or promise not contained in this Agreement shall be valid or binding.
18. In any action at law or in equity, including an action for declaratory relief, which is brought to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to a reasonable attorney's fee and all costs which may be set by the Court in the same action

or in a separate action brought for that purpose, in addition to any other relief to which he may be entitled.

19. This Agreement may be terminated by either party at his option and without prejudice to any other remedy to which he may be entitled either at law, in equity, or under this Agreement by giving written notice of termination to the other if the latter should:

(a) be adjudged a bankrupt,

(b) become insolvent or have a receiver of his assets or property appointed because of insolvency,

(c) make a general assignment for the benefit of creditors,

(d) default in the performance of any obligation or payment of any indebtedness under this Agreement.

20. Producer will supply an adviser for any and all necessary and agreed upon editing and revision changes to be made by the Distributor in the CAIVI program covered by this Agreement.

21. Distributor agrees to indemnify, defend and save harmless Producer, the State of California, its officers, agents and employees from any and all claims and losses accruing in connection with or resulting from the performance of this Agreement and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by Distributor in the performance of this Agreement.

22. This Agreement is subject to the Nondiscrimination Clause Addendum attached hereto marked Exhibit A and by reference fully incorporated herein.

23. This Agreement shall be binding upon and shall insure to the benefit of the parties hereto, and their respective successors and assigns.

C L O S I N G:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate at Sacramento, California, the day and year first written above.

BY: _____
PRODUCER

BY: _____
DISTRIBUTOR

IN WITNESS WHEREOF, this agreement has been executed by the parties hereto, upon the date first above written.

STATE OF CALIFORNIA

CONTRACTOR

NONDISCRIMINATION CLAUSE

(OCP - 2)

1. During the performance of this contract, the recipient, contractor and its subcontractors shall not deny the contract's benefits to any person on the basis of religion, color, ethnic group identification, sex, age, physical or mental disability, nor shall they discriminate unlawfully against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, mental disability, medical condition, marital status, age or sex. Contractor shall insure that the evaluation and treatment of employees and applicants for employment are free of such discrimination.
2. Contractor shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.), the regulations promulgated thereunder (California Administrative Code, Title 2, Section 7285.0 et seq.), the provisions of Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Government Code, Sections 11135-11139.5) and the regulations or standards adopted by the awarding State agency to implement such article.
3. Recipient, contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.
4. The contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the contract.

Commission on Peace Officer Standards and Training

CAIVI PROGRAMS

<u>Number</u>	<u>Title</u>	<u>Production Date</u>
1	<u>Peace Officer Required Training</u>	January 1987

Interactive Videodisc training program covers the subject areas mandated by California Penal Code, Section 832 as minimum training prerequisite to the exercise of peace officer powers.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Basic Course Curriculum Changes- Chemical Agents		Meeting Date January 22, 1987
Bureau Training Program Services	Reviewed By Hal Snow <i>HS</i>	Researched By Bob Spurlock <i>RS</i>
Executive Director Approval <i>Manuel C. Boehm</i>	Date of Approval 12-26-86	Date of Report December 5, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact		<input type="checkbox"/> Yes (See Analysis per details) <input checked="" type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Commission approval of Basic Course Curriculum changes relative to Chemical Agents.

BACKGROUND

POST routinely conducts curriculum/instructor update seminars to review, revise, and update the Basic Course Curriculum. The proposed changes are the result of a seminar conducted with subject-matter experts and Basic Course Instructors during November 1986. The proposed curriculum changes are relevant to both the Basic Course and to the training standard required for peace officers who purchase, possess, transport or use any tear gas weapon as specified in Penal Code Section 12403.

ANALYSIS

The POST Basic Course curriculum currently contains two learning goals on Chemical Agents in the Force and Weaponry Functional Area. Several technical changes were made to the six performance objectives in Learning Goal 7.19.0 "Use of Chemical Agents." The following proposed changes are in Learning Goal 7.20.0 "Chemical Agent Simulation." The deletion of performance objective 7.20.1 is suggested because it is redundant with performance objective 7.19.3 as revised (see Attachment A).

The addition of performance objective 7.20.3 conforms to what is currently being included in the Basic Course by all presenters. This performance objective would require the student to be exposed to the effects of a chemical agent. Although the POST has recommended in its Basic Course Unit Guides that students be exposed to the effects of a chemical agent in the past, it has never been mandated. The rationale for requiring students to be exposed to the effects of a chemical agent is that it would significantly reduce the possibility of the student experiencing panic if exposed to chemical agents in an actual field situation. Secondly, it is believed that officers experiencing this have a more humane attitude toward the use of chemical agents and the treatment of citizens.

These proposed curriculum changes have been endorsed by the Basic Course Consortium. It is estimated that these curriculum changes will have no impact on academies and can be accommodated within the present minimum hours.

RECOMMENDATION

Effective April 1, 1987, approve Basic Course Curriculum changes in Chemical Agents.

1003C

~~7.19.3~~ The student will explain the following factors to be considered in the decision to use a chemical agent:

Old

- A. Situation--e.g., single, individual, crowd
- B. Amount of hazard inherent in the use of the chemical agent when weighed against the amount of hazard inherent in the kinds of conduct the chemical agent is designed to control
- C. Environment
- D. Avenues of escape
- E. Preparedness and capabilities of control

7.19.3 Given a word picture of a situation that calls for the use of chemical agents, the student will select the most appropriate agent and device for the circumstances considering the following factors:

Revised

- A. Situation--e.g., individual, crowd
- B. Environment
- C. Amount of hazard
- D. Preparedness and capabilities
- E. Avenues of escape
- F. Legal aspects

~~7.20.1~~ Given word-pictures or audio-visual presentations depicting situations calling for the use of chemical agents and including the factors that would influence the type of agents to be used, the student will identify the type of agent(s) dictated by the facts to be used.

Delete

7.20.3 The student will experience the effects of a chemical agent.

Add

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Revision to Basic Course Waiver Skills Test Fee		Meeting Date January 22, 1987
Bureau Training Program Services	Reviewed By Glen Fine	Researched By Hal Snow <i>H.S.</i>
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 12-25-86	Date of Report December 5, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact		<input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Should the Commission approve a fee increase for the Basic Course Waiver Skills Test from \$200 to \$300.

BACKGROUND

Effective January 1, 1986, the Commission added a manipulative skills test to the written test and evaluation of previous training as part of the Waiver of Attendance of a POST-certified Basic Course, which is specified in Commission Regulation 1008 and Procedure D-11. POST is required by Penal Code Section 13511(b) to have a testing process for persons who have completed equivalent training. The five-hour manipulative skills test measures proficiency on report writing, weaponless defense, arrest techniques, baton, felony and routine car stops, handgun, and shotgun. Using existing academy instructors as evaluators, two Skills Testing Centers have been established under contract to conduct the skills testing. In initially establishing the skills testing requirement, the Commission approved a \$200 fee that was recommended by staff. After one year of experience with costs and volume of test candidates, the fee has been found to be inadequate.

ANALYSIS

When the \$200 fee was initially established, it was indicated that costs could only be estimated and that the volume of test candidates would have a significant impact upon costs. At the time the skills test was adopted, there was uncertainty about the expected volume of skills test applicants. The anticipated number of skills test applicants did not materialize. POST established two skills testing centers, one north and one south. The Sacramento Public Safety Training Center and Golden West Training Center in Huntington Beach serve as the centers. Currently, each Testing Center conducts the skills exam once a month so as not to unduly inconvenience candidates. Each Testing Center is on the average testing three candidates each test day, which is fewer than originally anticipated.

Costs associated with skills testing include salaries of coordinator, three to six evaluators, and clerical. Other costs include ammunition for firearms testing, vehicle gas and maintenance, telephone, and miscellaneous office supplies. Staff has examined these costs after a year of experience and found that the Testing Centers are actually expending \$300 or more on each candidate. No other income is derived by the Center on this testing, except for re-testing and candidate remediation. POST has authorized the Centers to charge \$50/module for re-testing, which appears to be reasonable at this time. The proposed \$300 fee is less than actual costs including indirect, but both Centers indicate that this is acceptable for this year because all direct costs are covered and the possibility remains that costs can be reduced to that level via efficiency improvements. Therefore, it is recommended that the skills testing fee be increased from \$200 to \$300 effective immediately. No change is being recommended for other fees associated with this process including the \$91 evaluation (waived for re-entering persons who previously satisfied POST's basic course training requirement) and the \$75 written test fee. None of these fees is reimbursable by POST, which means the candidate or his/her employing agency must pay.

The attachment itemizes present costs for administering the skills test and presents the basis for the fee increase.

RECOMMENDATION

Effective immediately, approve a Basic Course Waiver Skills Test fee increase from \$200 to \$300.

COST BREAKDOWN FOR SKILLS TEST*

<u>Cost Item</u>	<u>Golden West College</u>	<u>Sacramento Public Safety Center</u>
Evaluators	\$214.29	\$211.73
Coordinator	56.04	48.33
Clerical/Telephone	14.29	9.22
Supplies/Equipment	7.90	11.53
Miscellaneous/Indirect	30.56	56.16
Total/Candidate	<u>\$323.08</u>	<u>\$336.97</u>

*Average cost per candidate since 1/1/86

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT			
Agenda Item Title		Meeting Date	
Basic Course Feeder System		January 22, 1987	
Bureau	Reviewed By	Researched By	
TDSB	Ronald T. Allen, Chief	Gene S. Rhodes	
Executive Director Approval	Date of Approval	Date of Report	
<i>Mouman C. Boehm</i>	12-16-86	December 15, 1986	
Purpose:			
<input checked="" type="checkbox"/> Decision Requested	<input type="checkbox"/> Information Only	<input type="checkbox"/> Status Report	Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Evaluation of the existing Basic Course Feeder System and its implication for statewide application.

BACKGROUND

The Basic Course Feeder System is a multipresenter approach to basic training. Using the extended format, two or more presenters, coordinating with each other, may present the first half of basic training at multiple locations. This training is certified as Reserve Level 1, Modules A, B and C. After completing this training, the students can then feed into the primary presenter's location to complete the POST Basic Course. This requires good coordination, curricula design, and teaching to identified performance objectives in order for this system to be successful.

In 1981, Golden West, Fullerton, and Saddleback Colleges in Orange County were approved to present the Basic Course Feeder System. In 1982, Saddleback College dropped out of the feeder program.

At the April 1985 meeting, the Commission approved the continuation of the Golden West pilot program and approved a pilot "feeder system" program for Southwestern and Grossmont Colleges in San Diego County.

Staff was directed to evaluate the pilot programs and report to the Commission in 1986.

ANALYSIS

There have been 13 presentations of the POST Basic Academy using the Basic Course Feeder System (11 in Orange County and 2 in San Diego County). 357 students successfully completed basic training and 70 of those students were from a "feeder school."

At both primary schools (Golden West in Orange County and Southwestern in San Diego County) all students, prior to starting the second half of basic training, must successfully pass a proficiency examination. The proficiency examinations were developed by the primary schools and are based on the Basic Course Performance Objectives that are required to be taught during the first half of training.

The success rate of students completing basic training from "feeder schools" are about the same as with the "primary schools." Academic achievement during training also appears to be equal.

All schools involved in the pilot program indicate they favor continuing the program. They have indicated there were no problems in administering the program.

POST has experienced no administrative problems with the program.

CONCLUSIONS

1. The Basic Course feeder system in Orange and San Diego Counties is working.
2. Whether the system should be extended to other parts of the state should depend upon:
 - a. The degree of experience, testing sophistication, and quality control exercised by the primary academy.
 - b. The degree of cooperation between the primary academy and the feeder school.
 - c. The curriculum being articulated in performance objectives and whether it meets both the reserve and first half Basic Course curriculum requirements.
 - d. POST's holding the primary academy responsible for keeping the feeder school staff informed of Basic Course curriculum changes and other POST Basic Course activities.

RECOMMENDATION

Remove the pilot status and allow the schools to continue to operate in the program.

COMMITTEE REPORTS

K. Finance Committee

APPROVED

1. Proposed Contracts for FY 1988/89

At each January meeting, the Commission receives a report on major training and administrative contracts planned for the upcoming fiscal year. Information regarding these contracts is presented in order to obtain the Commission's approval to negotiate and return the proposed contracts for final approval at the April 1988 Commission meeting. By the time of the Commission meeting, the Finance Committee will have met. The Committee recommendations will be offered at the meeting.

Proposed contracts to be negotiated for Fiscal Year 1988/89:

a. Management Course

This course is currently budgeted at \$297,289 for 22 presentations by 5 presenters:

$\begin{array}{r} \times 20 \\ 440 \end{array}$

California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center

Course costs are consistent with Commission guidelines, and performance by all five presenters has been satisfactory. Staff anticipates some increases over FY 1987/88 due to increased costs for instructors, coordination, facilities, and materials, although no additional presenters are planned for 1988/89.

b. Executive Development Course

This course is currently presented by California State Polytechnic University, Pomona, at a cost of \$70,270 for five presentations. Course costs are consistent with POST guidelines, and the performance of the presenter has been satisfactory. Staff anticipates some increases over FY 1987/88 expenses due to increased costs for instructors, coordination, facilities, and materials which may be allowable by tuition guidelines. Upon approval, a new contract will be negotiated for FY 1988/89.

c. San Diego Regional Training Center - Support of Executive Training including the Command College

The San Diego Regional Training Center serves as the chief contractor for a variety of training activities of the Commission conducted by the Center for Executive Development. Curriculum development as well as instructional and evaluation costs for these training activities for FY 1987/88 came to \$334,760. Upon authorization, a new contract will be negotiated for FY 1988/89.

d. Department of Justice - Training Center

The Department of Justice has provided training to local law enforcement through an Interagency Agreement with POST since 1974. During Fiscal Year 1987-88, the amount allocated to this training was \$733,889. For this amount, the Department of Justice agreed to make 182 combined presentations of 30 separate courses.

The Department of Justice has proposed to conduct the same training (with minor adjustments agreed to by POST) in Fiscal Year 1988-89 for a similar financial commitment by POST.

e. Cooperative Personnel Services - Basic Course Proficiency Test

Cooperative Personnel Services (CPS) has administered the Basic Course Proficiency Test for POST for the past seven years. CPS has demonstrated the ability to effectively administer the test at less cost than would be possible if POST staff were to administer the test.

The current year contract is for \$29,142. The proposed contract for FY 1988/89 is not expected to exceed this amount.

f. POST Entry-Level Reading and Writing

For each of the last four years, POST has contracted with Cooperative Personnel Services (CPS) and the State Personnel Board (SPB) to administer the POST entry-level reading and writing testing program. The overall quality and level of services provided by CPS and SPB over the years has been quite good.

Current fiscal year contracts total \$155,091. The proposed contracts for FY 88/89 are expected to total no more than \$135,000. The reduction of approximately \$20,000 is made possible by the recent acquisition of a high speed scanner as part of POST's new computer system which will permit POST staff to perform test answer sheet scanning and other selected services currently performed under contract.

g. State Controller's Office - Agreement for Auditing Services

Each year POST has negotiated an Interagency Agreement with the State Controller's Office to conduct audits of selected local jurisdictions which receive POST reimbursement funds. The Commission approved an agreement not to exceed \$85,000 for the current fiscal year.

Approval is requested to negotiate a similar agreement to maintain current level of service for Fiscal Year 1988/89.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT			
Agenda Item Title Executive Development Course Contract - FY 1987/1988		Meeting Date January 22, 1987	
Bureau Center for Executive Development	Reviewed By	Researched By <i>Ed Morton</i>	
Executive Director Approval <i>Morgan C. Boelun</i>	Date of Approval 12-10-86	Date of Report December 1, 1986	
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact		<input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No	
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.			

Issue

Commission review and approval of the Executive Development Course contract as proposed for Fiscal Year 1987/1988 are required to authorize the Executive Director to negotiate contracts with presenters.

Background

The single contractor for the Executive Development Course currently provides training for 100 trainees in 5 presentations per year. The contract costs for FY 1986/1987 are \$70,270.00.

Commission Regulation 1005(e) provides that every regular officer who is appointed to an executive position may attend the Executive Development Course, and the jurisdiction may be reimbursed provided the officer has satisfactorily completed the training requirements of the Management Course.

Analysis

The California State Polytechnic University, Pomona, has been under contract to present the Executive Development Course since October, 1979. The presentations have been well received by law enforcement executives. The presenter has developed a special expertise in presenting POST executive and management training. Because of this expertise, the presenter has attracted a high quality group of instructors and coordinators. Even so, staff anticipates some modification of the course necessary to keep the curriculum current and relevant.

It is estimated that 5 presentations will again be required in FY 1987/1988. Staff anticipates some increase over FY 1986/1987 due to increased costs for instructors, coordination, facilities, and materials as may be allowable by tuition guidelines.

Recommendation

Appropriate action of the Commission would be a motion to authorize the Executive Director to negotiate a contract with Cal-Poly Kellogg Foundation to present 5 presentations of the Executive Development Course during FY 1987/1988. The negotiated contract will be returned for Commission approval at the April 1987 meeting.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Management Course Contracts - Fiscal Year 1987/88		Meeting Date January 22, 1987
Bureau Center for Executive Development	Reviewed By	Responsible By <i>Ted Morton</i> Ted Morton
Executive Director Approval <i>Morgan C. Kocher</i>	Date of Approval 12-10-86	Date of Report December 3, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<p><u>Issue</u></p> <p>Commission review and approval of Management Course contracts as proposed for Fiscal Year 1987/88 are required to authorize the Executive Director to negotiate contracts with presenters.</p> <p><u>Background</u></p> <p>These courses are currently budgeted at \$297,289 for twenty-two (22) presentations by five (5) presenters:</p> <ul style="list-style-type: none"> California State University - Humboldt California State University - Long Beach California State University - Northridge California State University - San Jose San Diego Regional Training Center <p>No other educational institutions have expressed interest in presenting the Management Course. In addition, there are two (2) certified Management Course presenters who offer training to their own personnel at no cost to the POST fund:</p> <ul style="list-style-type: none"> California Highway Patrol State Department of Parks and Recreation <p><u>Analysis</u></p> <p>Course costs are consistent with POST tuition guidelines. Required learning goals are being satisfactorily presented by each contractor.</p> <p>It is estimated that twenty-two (22) presentations will again be required in FY 1987/88. Staff anticipates some increases over FY 1986/87 due to increased costs for instructors, coordination, facilities, and materials, although no additional presentations are expected.</p> <p><u>Recommendation</u></p> <p>Appropriate action of the Commission would be a motion to authorize the Executive Director to negotiate contracts with the current five (5) contractors to present twenty-two (22) presentations of the Management Course during Fiscal Year 1987/88. Negotiated contracts will be returned for Commission approval at the April 1987 meeting.</p>		

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Contract for Command College and Executive Training		Meeting Date January 22, 1987
Bureau Center for Executive Development	Reviewed By	Researched By <i>Ted Norton</i>
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 12-10-86	Date of Report December 1, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

Issue

Commission review and approval of the Command College and Executive Training contract for Fiscal Year 1987/88 are required to authorize the Executive Director to negotiate with the presenter.

Background

Since the inception of the Command College in 1984, the Commission has approved a contract with the San Diego Regional Training Center to provide the services of faculty, facilitation, coordinators, facilities, materials, course development, and related activities for the Command College and seminars for chiefs, sheriffs, and senior law enforcement managers.

The first class of the Command College graduated January 31, 1986. Two classes are commencing annually. During the 1987/88 Fiscal Year, twenty Command College workshops will be presented for Classes 5, 6, 7, 8, 9, and 10.

Executive training has been designed to meet the stated needs of chiefs, sheriffs, and senior managers. In 1987/88, CED staff will develop, coordinate, and present 14 executive seminars.

Current contract costs for FY 1987/88 are \$343,287.00.

Analysis

To support the activities of the Command College and Executive Training, funds will be required for two Assessment Centers, several Command College planning and project committee meetings, continuing Command College and executive seminar course developments, Executive Development Course redesign, and continuing development of Emergency Preparedness training.

Recommendation

Appropriate action of the Commission would be a motion to authorize the Executive Director to contract with the San Diego Regional Training Center to provide expert management consultants, educators, faculty, training sites, and materials for Command College programs and seminars for law enforcement executives and senior managers for Fiscal Year 1987/88. It is anticipated that the amount of the negotiated contract will approximate the 1986/87 contract. This matter will be returned for Commission approval at the April, 1987 meeting.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title POST/DOJ Interagency Agreement for Training		Meeting Date January 22, 1987
Bureau Training Delivery Services	Reviewed By Ronald T. Allen <i>RA</i>	Researched By Ronald T. Allen
Executive Director Approval <i>Maurice C. Behm</i>	Date of Approval 12-30-86	Date of Report December 23, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		

ISSUE

The Commission and the Department of Justice Advanced Training Center (DOJ) through an Interagency Agreement (IAA) have provided training to local law enforcement during Fiscal Year 1986-87.

Department of Justice is agreeable to continue the cooperative efforts during Fiscal Year 1987-88. DOJ proposed a tentative IAA to provide 26 different courses. DOJ will offer 193 separate presentations for a total dollar amount not to exceed \$775,000.

BACKGROUND/ANALYSIS

The Department of Justice under Interagency Agreement has been contracting with POST to provide training to local law enforcement since 1974. The total cost of the training provided in Fiscal Year 1986-87 as approved by the Commission was \$733,000.

During the previous year (Fiscal Year 1986-87), Department of Justice had 29 certified courses and provided 180 separate presentations for \$733,000.

The requested increase of approximately \$42,000 provides for adding 13 presentations more than we offered during Fiscal Year 1986-87.

The requested increase in the total number of presentations is 6.7% above the previous year. The requested dollar amount increase over the previous year is 4.5%. Some of the increase will also provide for increase in clerical and coordination cost.

Staff will analyze the current proposal for need justification and cost. This analysis will be finalized prior to the April Commission meeting, when a complete report on the proposed agreement will be presented.

RECOMMENDATION

Authorize staff to negotiate an Interagency Agreement with Department of Justice for Fiscal Year 1987-88 for an amount not to exceed \$775,000.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Contract Services for Administration of POST Proficiency Examination		Meeting Date January 23, 1987
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner
Executive Director Approval <i>Morgan C. Behm</i>	Date of Approval 12-16-86	Date of Report December 10, 1986
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		
<u>Issue:</u> Continuation of the POST contract with Cooperative Personnel Services (CPS) to administer the POST Basic Course Proficiency Examination.		
<u>Background:</u> Penal Code Section 832(b) requires POST to develop and administer a basic training proficiency test to all academy graduates. POST has contracted with Cooperative Personnel Services (CPS) for the administration of the exam each of the last six years.		
<u>Analysis:</u> CPS has done an acceptable job of administering the POST Basic Course Proficiency Examination over the last six years. Moreover, CPS can administer the exam for less than it would cost if POST staff were to assume this function. The amount of the FY 86/87 contract is \$23,773. The proposed contract for FY 87/88 is expected to be no more than \$29,000. This estimate assumes a 15% increase in the number of graduating classes and an average labor cost increase of 7%.		
<u>Recommendation:</u> Authorize the Executive Director to negotiate a contract with CPS for services during FY 87/88.		

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT											
Agenda Item Title Contracts: POST Entry-Level Reading and Writing Tests		Meeting Date January 23, 1987									
Bureau Standards & Evaluation	Reviewed By	Researched By John Berner <i>JB</i>									
Executive Director Approval <i>Thomas C. Becker</i>	Date of Approval 12-16-86	Date of Report December 10, 1986									
Purpose: <input checked="" type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No											
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.											
<p><u>Issue:</u></p> <p>Continuation of POST contracts with Cooperative Personnel Services and the State Personnel Board to administer and score the POST entry-level reading and writing tests during fiscal year 1987/88.</p> <p><u>Background:</u></p> <p>For the past several years, the Commission has authorized that the POST entry-level reading and writing tests be made available to agencies in the POST program free of charge. In addition, for each of the last three years the Commission has authorized that the tests be administered to all entering basic recruits for a six month period, thereby permitting an evaluation of the impact of POST's reading and writing requirements for entry-level employment. During this time, yearly increases have been experienced with regard to the use of the tests, and improvements have been experienced with regard to the reading and writing skills of new officers. All test administration and scoring services associated with the two testing programs have been provided under contracts with the State Personnel Board and Cooperative Personnel Services.</p> <p><u>Analysis:</u></p> <p>Current year contracts for test administration and scoring services total \$157,673. They are broken down as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 35%;"><u>Contractor</u></th> <th style="text-align: left; width: 45%;"><u>Services</u></th> <th style="text-align: right; width: 20%;"><u>Cost (FY 86/87)</u></th> </tr> </thead> <tbody> <tr> <td>State Personnel Board</td> <td>Scan answer sheets/generate computer printout of results</td> <td style="text-align: right;">\$20,000</td> </tr> <tr> <td>Cooperative Personnel Services</td> <td>Printing, cleaning, mailing, inventorying, etc., of all test booklets; performing all other administrative activities (with exception of answer sheet scanning) associated with use of tests by local agencies</td> <td style="text-align: right;">\$124,764</td> </tr> </tbody> </table>			<u>Contractor</u>	<u>Services</u>	<u>Cost (FY 86/87)</u>	State Personnel Board	Scan answer sheets/generate computer printout of results	\$20,000	Cooperative Personnel Services	Printing, cleaning, mailing, inventorying, etc., of all test booklets; performing all other administrative activities (with exception of answer sheet scanning) associated with use of tests by local agencies	\$124,764
<u>Contractor</u>	<u>Services</u>	<u>Cost (FY 86/87)</u>									
State Personnel Board	Scan answer sheets/generate computer printout of results	\$20,000									
Cooperative Personnel Services	Printing, cleaning, mailing, inventorying, etc., of all test booklets; performing all other administrative activities (with exception of answer sheet scanning) associated with use of tests by local agencies	\$124,764									

Cooperative Personnel Services	All administrative activities including actual administration of tests (but excluding answer sheet scanning) associated with testing of all entering academy cadets for a 6-month period (resulting data used to evaluate impact of reading/writing requirements)	\$12,909
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All contract services have been acceptable. In addition, POST lacks both the personnel resources and the equipment necessary to perform the services now being provided under the contracts.

At this time, it is estimated that total costs of proposed FY 87/88 contracts will approach \$185,000. This estimate assumes that : (1) local agency use of the tests will increase approximately 15%; (2) the number of academy cadets tested will increase approximately 5%; and (3) labor costs will increase an average of 7%. Because very little billing information for the current fiscal year contracts is available at this time, this estimate is very tentative. Much more will be known in April, when the actual contracts are before the Commission.

Recommendation:

Authorize the Executive Director to negotiate contracts with Cooperative Personnel Services and the State Personnel Board for reading and writing test administration and scoring services during fiscal year 87/88.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT

Agenda Item Title State Controller's Office - Agreement for Auditing Services		Meeting Date January 22, 1987
Bureau Administrative Services	Reviewed By Otto H. Sautenberger	Researched By Staff
Executive Director Approval <i>[Signature]</i>	Date of Approval 12-16-86	Date of Report December 15, 1986
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact		<input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No

In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.

ISSUE

Continuation of the Commission on Peace Officer Standards and Training agreement with the State Controller's Office to provide auditing services.

BACKGROUND

Each year for the past several years, the Commission on Peace Officer Standards and Training has negotiated an Interagency Agreement with the State Controller's Office to conduct necessary audits of selected local jurisdictions which receive POST reimbursement funds.

ANALYSIS

The State Controller's Office continues to do an acceptable job in conducting the audits of several selected jurisdictions yearly to assure that reimbursement funds are being appropriately expended.

The Commission approved an agreement not to exceed \$80,000 for the current fiscal year. Approval is requested to negotiate a similar agreement for FY 1987/88 to include a 6% increase for labor costs.

RECOMMENDATION

Authorize staff to negotiate an Interagency Agreement not to exceed \$85,000 with the Controller's Office for services during FY 1987/88.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION AGENDA ITEM REPORT		
Agenda Item Title Computer Contract with Motorola Computer Systems		Meeting Date January 22, 1987
Bureau Information Services	Reviewed By Glen Fine	Researched By George Williams
Executive Director Approval <i>Thomas C. Boehm</i>	Date of Approval 12-17-86	Date of Report December 16, 1986
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		

ISSUE

Authorize staff to negotiate a contract with Motorola Computer Systems, Incorporated for computer maintenance services during fiscal year 1987/88.

BACKGROUND

POST purchased its Four Phase computer in May of 1986 at the expiration of the lease with Motorola/Four Phase. The purchase was the most cost effective method of continuing computer services at POST during the period of procurement and installation of a new computer and the conversion of programs and data to the new computer in fiscal year 1987/88. POST currently has a contract for maintenance services with Motorola Computer Systems in the amount of \$22,812.00 per year.

ANALYSIS

The Four Phase computer will be used by POST staff through fiscal year 1987/88. This will allow for the procurement and installation of the new computer for which a Request for Proposal (RFP) was released in December, 1986. A maintenance contract with Motorola Computer Systems, Inc. for preventative and remedial maintenance for the Four Phase computer will cost approximately the same as the current year with inflation adjustments not to exceed 10% according to POST's Motorola sales representative. The amount of the contract for Fiscal Year 1987/88 should be approximately \$25,092.20.

RECOMMENDATION

Authorize the Executive Director to negotiate an agreement with Motorola Computer Systems, Incorporated, for maintenance services during Fiscal Year 1987/88 for an amount not to exceed \$27,000.

COMMISSION AGENDA ITEM REPORT

Agenda Item Title Interagency Agreement with Teale Data Center		Meeting Date January 22, 1987
Bureau Information Services	Reviewed By Glen Fine	Researched By George Williams
Executive Director Approval <i>Morgan C. Boehm</i>	Date of Approval 12-17-86	Date of Report December 16, 1986
Purpose: <input type="checkbox"/> Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No		
In the space provided below, briefly describe the ISSUE, BACKGROUND, ANALYSIS, and RECOMMENDATION. Use additional sheets if required.		

ISSUE

Authorize the Executive Director to negotiate an Interagency Agreement with the Teale Data Center for Fiscal Year 1987/88, for computer services.

ANALYSIS

POST has an Interagency Agreement with Teale Data Center (a State Agency) for the current fiscal year in the amount of \$89,000. The contract provides for a link between POST's computer and the Data Center's mainframe computer. This allows POST to utilize the mainframe's power for complex data processing jobs and the storage of large data files that require more resources than POST's Four Phase computer can provide.

ANALYSIS

POST is currently engaged in acquiring a new computer to replace its Four Phase equipment. This process is estimated to be completed in 1988 and should decrease the need for Teale services as all but the biggest jobs are moved onto the new computer. However, during the procurement, installation and data conversion process for the new computer, POST will likely use the Teale Data Center at a somewhat increased rate due to the normal growth of POST's data processing volume.

RECOMMENDATION

Authorize the Executive Director to negotiate an Interagency Agreement with the Teale Data Center for computer services in Fiscal Year 1987/88 for an amount similar to the current year's cost.

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

January 2, 1987

PUBLIC MEETING

SUBJECT: Notice of Commission Ad Hoc Field Needs Survey Committee Meeting

In accordance with the Open Meeting Laws of the State of California, you are hereby notified of a meeting of the Ad Hoc Field Needs Survey Committee of the Commission on POST to be held:

Monday, January 19, 1987
11:30 a.m.
1151 North 4th Street
San Jose, CA 95133
(408) 298-1133

The purpose of the meeting will be to receive a staff report on the outcome of the recent Field Needs Survey. The Committee is expected to synthesize the results of the study into a report to be presented at the January 22, 1987 Commission meeting.

NORMAN C. BOEHM
Executive Director

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

LONG-RANGE PLANNING COMMITTEE

January 21, 1987

2:30 p.m.

Hyatt Islandia

Dolphin Room

1441 Quivira Road

San Diego, California

(619) 224-1234

A G E N D A**CALL TO ORDER**

1. Receiving POST Field Needs Survey Input Relating to Professional Certification and Review of the Certification Program.

Significant differences of opinion exist regarding the basis on which POST should award professional certificates. The majority of personnel from agencies in the POST regular certificate program would prefer that no changes be made to the current program. In contrast, the most preferred course of action among personnel from agencies in the specialized certificate program is that of changing the program such that the same certificate would be awarded to all persons who meet the same selection and training standards. Only 20.4% of the respondents from the specialized certificate program are in favor of maintaining the current program without change.

The differences expressed as a function of current certificate program status are very consistent at all ranks, as well as across the various agency types within each certificate program.

Attached is survey response analysis and the earlier report outlining certificate options for the Committee's review. The Long Range Planning Committee last considered the certificate program requirements approximately one year ago. At that time, Committee members expressed a desire to consider the matter again after completion of the Field Needs Survey.

2. Report on the Results of the Management Simulator Gaming RFP

Consistent with Commission authorization, California State University Foundation, Chico, has been awarded a 9-month contract in the amount of \$100,000 to develop the concept of computer-generated strategic management gaming and to develop the specifications to provide such a program. The contract period is from January 20, 1987 to October 20, 1987. The successful proposal was one of five bids received as a result of an RFP. There were no appeals filed during the appeal period.

During the nine-month contract period, the contractor will prepare and submit: (1) a report on the literature available on the subject; (2) an instructional needs assessment; (3) a curriculum development package; (4) an evaluation instrument for comparing computer games; (5) an evaluation summary of existing management computer games and simulations; (6) an idealized model of a computer management game application; and (7) design specifications for software development. This is brought to the LRPC by way of a requested progress report.

3. Review of Driver Training Planning and Driver Training Simulator Study

At the Commission's direction, a plan for POST's involvement in driver training and accident reduction efforts has been developed. The plan makes six recommendations:

1. Maintain current support of the basic driver training program with as-needed review by an advisory committee.
2. Develop standardized Driver Instructor Training and a Driver Instructor's Manual.
3. Encourage local agency presentation of the Driver Awareness Course and encourage presenters to develop a future condensed Emergency Vehicle Operations Course (EVOC) to augment the Awareness Course.
4. Develop a Resource Center to serve local agencies as a clearinghouse of law enforcement traffic accident data, driver training and accident reduction information.
5. Seek funding sources for driver training simulators and interactive video training programs.
6. Defer considerations concerning support options for driver training facilities until the training equipment/facilities needs (Regional Centers) study is completed and evaluated.

Attached is a summary of overall plan and a synthesis of the simulator report. As will be reported, several of these recommendations are already addressed. The driver training simulator program will require a decision on going to the next step - an RFP for preparing a design study, technical feasibility report and specifics as well as a specific cost estimate.

4. Progress Report on Regionalized Training Facilities Study

Staff will make a verbal presentation on the study design, timeframes and general approach to this project which includes analysis of funding options.

5. Review of Advisory Committee Recommendation to Contract for a POST Management Fellow to Collect Substance Abuse Program Information for Law Enforcement Personnel

At the July 24, 1986 Commission meeting, the POST Advisory Committee was assigned to discuss the possible potential for alcohol and substance abuse by law enforcement personnel in California and suggest ways the Commission may assist local agencies in addressing possible problems. After a preliminary review of this subject, the Advisory Committee acted at its meeting of October 22, 1986 to recommend that the Commission contract with a Management Fellow to put together a reference document that would cover the overall totality of substance abuse in law enforcement, to include the identification of what is currently being done and what information is available to law enforcement. The Commission's action at its October 23, 1986 meeting was to receive the Advisory Committee report without comment.

The issue now before the Committee is to determine whether further Commission action on this issue is to be recommended, and if so, how best to proceed.

ADJOURNMENT

Memorandum

Members, Commission Long-Range Planning Committee

Date : January 5, 1987

Norman C. Boehm, Executive Director

From : **Commission on Peace Officer Standards and Training**

Subject: Field Survey Results Regarding Professional Certificates

The following question pertaining to POST professional certificates was included in the recently completed POST Field Survey:

Originally only police and sheriffs' departments participated in the POST program, and a professional certificate program was developed for officers of those departments. Over the years, legislation has brought many agencies with limited or specialized law enforcement responsibilities into the program. Officers of some of these agencies are awarded Specialized Certificates that are distinguished from the certificates awarded to police, sheriffs, CHP, and some district officers.

POST should: (check one only)

- ☐ 1 Make no changes in the present certificate program.
- ☐ 2 Change the program to award the same type of certificate to all officers who meet the same standards for selection and training, without regard to the type of work experience.
- ☐ 3 Change the program to award different certificates to all distinct categories of officers (i.e., police, sheriffs, marshals, etc.).
- ☐ 4 Change the program to award the same certificate to all officers, but designate on the certificate the employing agency and the type of training completed.
- ☐ 5 Other (specify) _____

The question was responded to by all levels of sworn personnel from within agencies in both the regular and specialized programs.

Table 1 shows the statewide results for the total respondent group, for chief executives, for managers and supervisors, and for rank-and-file officers. As indicated in the table, the most frequently selected option on a statewide basis was option 1, "Make no changes in the present certificate program" (44.9%); followed by option 4, "Change the program to award the same certificate to all officers, but designate on the certificate the employing agency and the type of training completed" (24.8%). Slightly over 18% of the total respondent group selected option 2, "Change the program to award the same type of certificate to all officers who meet the same standards for selection and training, without regard to the type of work experience".

Also as indicated in Table 1, the preference for option 1 is strongest among chief executives (54.3%), with a lessening in preference as one goes from managers/supervisors (48.8%) to rank-and-file officers (36.7%). For all ranks, option 4 was the second most often selected. Among rank-and-file officers, this option was selected almost as often as option 1 (29.5% for option 4 versus 36.7% for option 1).

Table 1: Survey Responses for Total Sample,
Chief Executives, Managers and Supervisors,
and Rank-and-File Officers.

Response Group				Response Choice
Total Sample (N=3795)	Chief Execs (N= 352)	Mgrs/Sups (N=2061)	Rank & File (N=1382)	
44.9%	54.3%	48.8%	36.7%	1. No Changes
18.2%	15.3%	16.5%	21.4%	2. Same certificates for all who meet same selection & training standards
9.7%	11.1%	9.2%	10.1%	3. Different certificates for distinct categories of officers
24.8%	16.5%	23.1%	29.5%	4. Same certificate for all--designate employing agency & training received
2.4%	2.8%	2.4%	2.3%	5. Other (specify)

Table 2 shows the results for the same response groups when stratified by certificate program. Responses for the regular certificate group are those from persons employed in police and sheriffs' departments; UC, state college, and community college police departments; and the California Highway Patrol. Responses for the specialized certificate group are those from peace officers employed in marshals' and district attorneys' offices, state agencies (excluding CHP), and other local agencies in the POST specialized program.

Strong differences in preference are reflected in the results shown in Table 2, with total personnel from agencies in the regular certificate program preferring option 1 (51.1%), and total personnel from agencies in the specialized certificate program preferring option 2 (46.7%). These preferences are consistent among all ranks, although the strength of preference is somewhat less among rank-and-file officers in both certificate programs. Option 4 is the second most preferred among all ranks in both certificate programs.

Table 2: Survey Responses for Total Group, Chief Executives, Managers and Supervisors, and Rank-and-File Officers in the Regular and Specialized Certificate Program.

Regular Certificate Program				Specialized Certificate Program				Response Choice	
Total Group (N=3031)		Chief Execs (N= 300)	Mgrs/Sups (N=1762)	Rank&File (N= 969)	Total Group (N= 764)		Chief Execs (N= 52)	Mgrs/Sups (N=299)	Rank&File (N=413)
51.1		60.3	54.2	42.5	20.4	19.2	17.1	23.0	1. No Changes
11.0		9.0	9.8	13.7	46.7	51.9	55.9	39.5	2. Same certificate for all who meet same selection & training standards
10.4		12.3	9.9	10.7	6.8	3.8	5.0	8.5	3. Different certificates for distinct categories of officers
25.1		15.3	23.8	30.7	23.6	23.1	19.4	26.6	4. Same certificate for all--designate employing agency and training received
2.4		3.0	2.3	2.4	2.5	1.9	2.7	2.4	5. Other (specify)

Table 3 shows the results for all levels of personnel from each of the agency type categories in the regular and specialized certificate programs. In general, the results show a consistent pattern of preference across the agency types within each of the certificate programs. Exceptions are almost equal preference for options 1 and 2 among UC, state college and community college police (41.6% versus 43.3%); and an almost equal preference for options 1 and 4 among CHP personnel (41.0% versus 37.9%). Among the agencies in the specialized certificate program, the strongest preference for option 2 is found among marshals' office personnel.

Table 3: Survey Responses for all Sworn Personnel
From Within Each of 8 Agency Type Categories
in the Regular and Specialized Certificate
Programs.

Regular Certificate Program				Specialized Certificate Program				Response Choice
PD's (N=1692)	SD's (N=1005)	Campus (N= 173)	CHP (N= 161)	Marshal (N=170)	DA Inv (N=172)	State (N=206)	Othr Spec (N=216)	
53.8%	49.8%	41.6%	41.0%	10.0%	26.2%	25.7%	19.0%	1. No Changes
9.0%	8.7%	43.3%	11.8%	58.8%	39.0%	35.9%	53.7%	2. Same certificate for all who meet same selection & training standards
12.2%	9.0%	2.9%	7.4%	3.5%	7.0%	11.7%	5.6%	3. Different certificates for distinct categories of officers
23.0%	29.0%	11.6%	37.9%	26.5%	22.7%	24.3%	21.3%	4. Same certificate for all--designate employing agency and training received
2.0%	3.5%	.6%	1.9%	1.2%	5.2%	2.4%	1.4%	5. Other (specify)

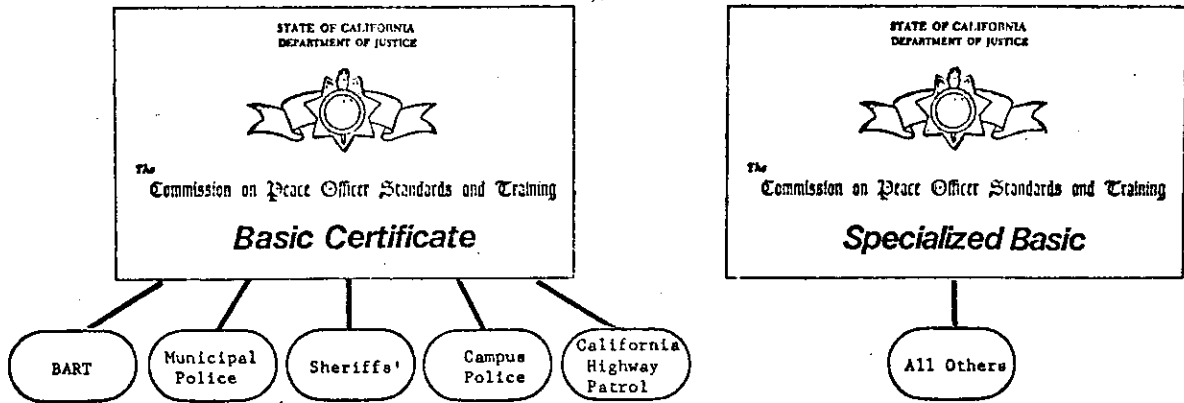
SUMMARY

Significant differences of opinion exist regarding the basis on which POST should award professional certificates. The majority of personnel from agencies in the POST regular certificate program would prefer that no changes be made to the current program. In contrast, the most preferred course of action among personnel from agencies in the specialized certificate program is that of changing the program such that the same certificate would be awarded to all persons who meet the same selection and training standards. Only 20.4% of the respondents from the specialized certificate program are in favor of maintaining the current program without change.

The differences expressed as a function of current certificate program status are very consistent at all ranks, as well as across the various agency types within each certificate program.

While differing with respect to the favored course of action, personnel from both certificate programs agree with respect to the next most preferred course of action--that of issuing the same certificate to everyone, and designating on the certificate the officer's employing agency and training received.

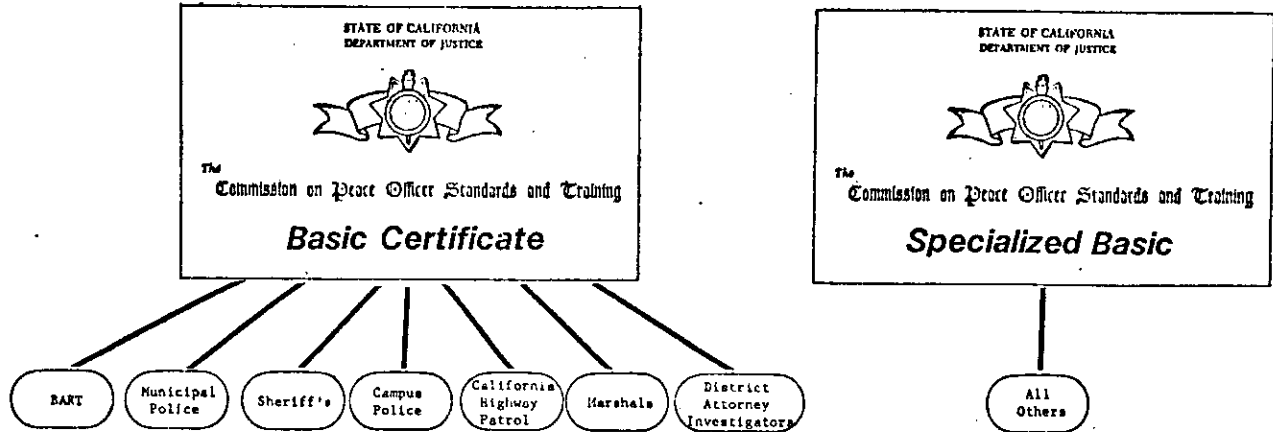
CURRENT CERTIFICATE PROGRAM



	General Law Enforcement Certificate	Specialized Law Enforcement Certificate
Requirements	<p>Selection Standards Basic Course</p> <p>One year experience in an agency responsible for general law enforcement</p> <p>Endorsement</p>	<p>Selection Standards Basic or Investigator Basic Course</p> <p>One year in a variety of law enforcement agencies</p> <p>Endorsement</p>
Emphasis	Importance on type of eligible agency experience (general, front line)	Importance is on experience in a specialized, not general, law enforcement agency
Impact	This means an officer is appropriately selected, trained and has performed successfully in applicable (or general) duties	This means that an officer has been appropriately selected, trained, and has performed successfully in a specialized agency not recognized as performing general law enforcement functions
	<p><u>Arguments for Maintaining Current Program</u></p> <ul style="list-style-type: none"> • Currently highly regarded by police and sheriffs who are 90% of the POST Program. • Regular basic certificate signifies <u>competence</u> in general law enforcement. • Now has great statewide and nationwide recognition. • Ease of administration. • Significant change could change meaning and utility of basic certificate. 	<p><u>Arguments against Maintaining Current Program</u></p> <ul style="list-style-type: none"> • Many specialized peace officers desire the regular Basic Certificate. • Exceptions exist already in the Regular Program, i.e., CHP and deputy sheriff's jailer. • General law enforcement is difficult to define. • Specialized officers often now attend the full Basic Course. • Some specialized officers may perform duties which upon review might be classified as general law enforcement.

ALTERNATIVE 1

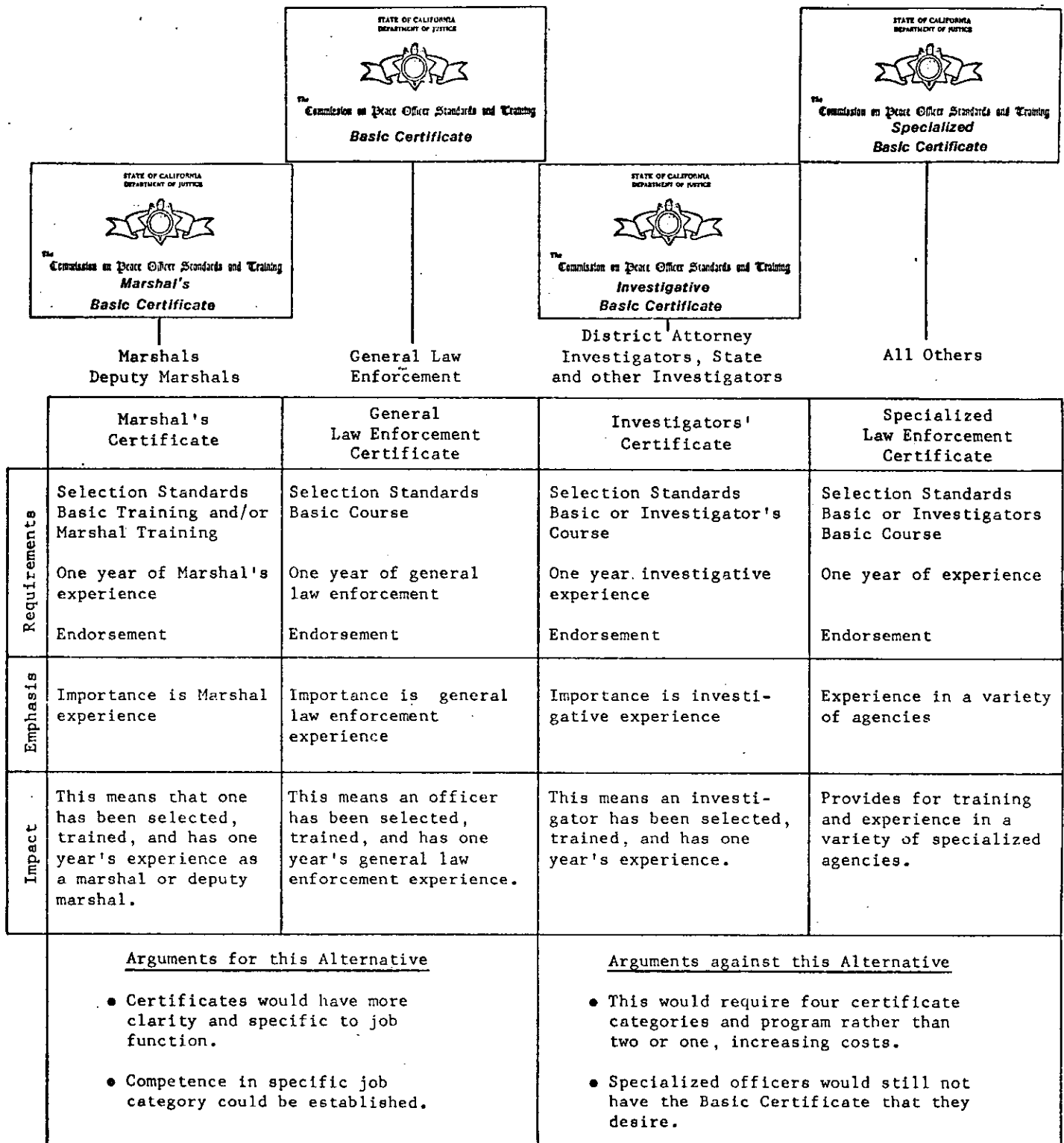
Allows Marshals and District Attorney Investigators in Regular Program to receive the Basic Certificate.



	General Law Enforcement Certificate	Specialized Law Enforcement Certificate
Requirements	Selection Standards Basic Course or Specialized Basic Course One year in an agency responsible for general law enforcement Endorsement	NO CHANGE
Emphasis	Importance on experience received, General	Importance on type of agency in which experience is received
Impact	Adds exceptions to the requirements of general law enforcement experience. Allows some to receive certificate without Basic Course	NO CHANGE
	<u>Arguments for Modification</u> <ul style="list-style-type: none"> • Marshals and most District Attorney Investigators, already have attended the Basic Course. • Exceptions already exist in program relative to experience requirements. 	<u>Arguments against Modification</u> <ul style="list-style-type: none"> • Change would make more exceptions to general experience requirement. • Would obscure the meaning of the Basic Certificate by adding job classes and training courses. • Usefulness of certificate as a training standards indicator would be lessened.

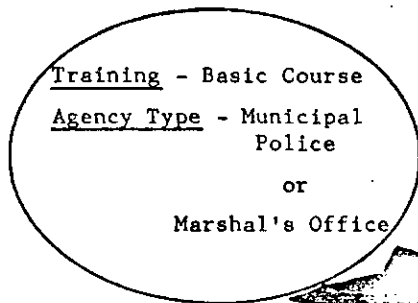
ALTERNATIVE 2

Establishes four generic certificates



ALTERNATIVE 3

Uses single form certificate - type of training and category of agency is indicated



Requirements	<p>Selection Standards</p> <p>Appropriate Basic Training Course</p> <p>One year law experience</p> <p>Endorsement</p>	
Emphasis	<p>Emphasizes experience by category and basic training course</p>	
Impact	<p>Shows that an officer has been selected, trained in a designated Basic Course and has one year's experience in a specified law enforcement function</p>	
<p><u>Arguments for this Alternative</u></p> <ul style="list-style-type: none"> • Easier to administer and maintain certificate stock-one certificate form. • Makes absolutely clear training and experience received. • All POST-participating agencies get same form. 		<p><u>Arguments against this Alternative</u></p> <ul style="list-style-type: none"> • An individual officer might want to change certificates when he changes agency category. • Could be perceived as weakening the certificate by giving the same certificate to all member agencies. • Would lessen utility because single certificate embraces multiple jobs and standards.

ALTERNATIVE 4

Certificates are based on training. Emphasizes training rather than experience; unlike other alternatives, theme could not be carried through to higher certificates. Intermediate and Advanced Certificates could not be awarded based on Basic Certificate.



All who attend
Regular basic course



All who attend
Specialized basic course

	Basic Certificate	Specialized Certificate
Requirements	<p>Selection Standards Basic Course</p> <p>One year of any experience</p> <p>Endorsement</p>	<p>Selection Standards Specialized Basic Course</p> <p>One year of any experience</p> <p>Endorsement</p>
Emphasis	<p style="text-align: center;">Emphasis is on the training</p>	
Impact	<p>On training, since certificate only means one is selected and <u>trained</u> to perform, not that he has necessarily <u>performed</u> successfully, in a particular type of agency.</p> <p>Basic Certificate is no longer a standard of minimum competence.</p>	
	<p><u>Arguments for this Alternative</u></p> <ul style="list-style-type: none"> • All participating officers would receive the same certificate if they received the same training. • Would build a pool of Basic Course graduates. • Many specialized officers already complete same Basic Course. • Would enhance lateral mobility for specialized personnel. 	<p><u>Arguments against this Alternative</u></p> <ul style="list-style-type: none"> • Police and sheriff departments (90% of POST members) may feel that the value of certificates are lessened if all specialized officers get them. • It is a radical change in that the emphasis is now placed on training, and experience then loses specificity. • Could encourage non-job related training. • Lessens usefulness of the certificate as a job competency indicator.

Memorandum

To : Long Range Planning Committee

Date : January 8, 1987

Norman C. Boehm
Executive DirectorFrom : **Commission on Peace Officer Standards and Training**

Subject: DRIVER TRAINING SIMULATOR TECHNICAL FEASIBILITY STUDY FUNDING

Following funding approved in the 1984/85 budget, the Commission directed POST staff to research simulation technologies and their applications to law enforcement driver training. This study was conducted by a Management Fellow, Lt. Jim Holts from the Los Angeles Sheriff's Department. His research was conducted under general review of POST staff and with the benefit of a special advisory committee of driver training experts.

The conclusion of this research indicates that a sophisticated simulation system can be developed for law enforcement driver training using existing technologies. It indicates that the use of simulators have many advantages over current training:

- More safely and realistically replicate existing training activities now requiring expensive facilities and equipment;
- Fill the voids in current training, such as providing realistic environments for experiencing confrontations with other vehicles and pedestrians, practicing accident avoidance techniques, awareness of road and traffic hazards, exposure to variations in traffic, road surface, weather and lighting conditions, and many others;
- Provide the potential for validated testing and research capabilities in determining causal factors of accidents;
- Provide more comprehensive board-ranged training experience for promoting confidence and defensive attitudes in drivers;
- Potential for reduced cost to local training presenters due to less staffing and facility requirements.

Perhaps the downside of the simulators is the initial cost for the first system development which is expected to be high, possibly in the ten million dollar plus range. Subsequent "copies" will likely be half, or less, of the initial system's cost. In order to provide simulation training to officers statewide, several (perhaps three or four) systems would be required.

On the upside, the report's conclusion is that driver training simulators can provide training not available in any of the way. They would greatly mitigate the need for large scale hands-on driver training facilities. They would save land costs and not require the fleets of training vehicles. Unlike current systems, they are safe and provide very realistic driver training. Simulators can replicate a variety of driving conditions - rain, fog, snow, traffic - as well as consistent scenarios ranging from routine patrol in traffic to safe pursuits or emergency response practices. The simulators can be available day and night regardless of weather and be used in conjunction with other skills training. When viewed over the long pull and considering the savings potential of reduction in accidents and shorter training times, simulators can be viewed as more of an investment than an expense.

The next step would be completion of a "Front-end Analysis Study, including technical feasibility and design specifications. The technical feasibility portion, conducted by experts and engineers in the field of simulation, will specify what would be needed in a simulation used specifically in a law enforcement driver training application. The Design Specifications portion will provide more precise cost figures for development, operations and maintenance of such a training simulator.

The "Front-End Analysis Study" is expected to cost approximately \$300,000. It is possible to arrange for split funding of these two phases of the Front-end Analysis, with two-thirds (\$200,000) for the Technical Feasibility Study and the balance of \$100,000 for the Design Specification Study, if the RFP is written in that manner.

In the past, capital expenses have been almost totally left to law enforcement agencies. However, because of the cost effectiveness of developing certain kinds of training technology statewide, the Commission has asked the driver training simulator study be done to this point. The Commission has also asked for a study of training facilities and equipment needs statewide be done with the idea of encouraging development of first rate skills training centers regionally. The driver training simulator was contemplated to be included in this concept along with other advantageous approaches to trim training time and increase training effectiveness.

The Commission should consider acquisition using "new money" in contracting for driver simulator services from private vendors. Three sources which come to mind for new money to finance this and other kinds of specialized training: (1) federal grant participation; (2) bond issue for regional training centers; and (3) greater share of the Penalty Assessment Fund for POST.

The question before the Committee and Commission now is whether to do the Front-end Analysis Study. Conceptually, approximately \$197,000 of the original 1.3 million budgeted in 1984-85 for these purposes remains unexpended, though any new expenses would come out of current appropriations.

If the study on facilities and equipment needs leads to a bond issue, there would be advantages to knowing the feasibility and costs of the simulators more specifically for determining the driver training facilities costs. This approach would also assist in exploring federal assistance or even in working to increase POST's share of the Penalty Assessment Fund.

However, as with any research and development venture, there is always a risk that the investment may not lead to an actual simulator system. It could be noted though that front-end study would enhance the possibility.

We look forward to discussing options with the Committee. If the Committee's sense is to proceed to the next step, and with the idea of enhancing opportunities for funding of the systems, a recommendation to the Commission to issue an RFP in an amount not to exceed \$300,000 would be in order.

Memorandum

: LONG RANGE PLANNING COMMITTEE

Date : January 21, 1987

File # DT119

Norm

NORMAN C. BOEHM, Executive Director

From : **Commission on Peace Officer Standards and Training**

Subject: LONG RANGE CONCEPTUAL PLAN
FOR DRIVER TRAINING AND ACCIDENT REDUCTION PROGRAMS

The Commission directed POST staff to develop a plan for POST's involvement in driver training and accident reduction efforts. This study was conducted by a Management Fellow, Lt. Jim Holts from the Los Angeles Sheriff's Department. His research was conducted under general review of POST staff and with the benefit of a special advisory committee of driver training experts.

The conclusion of this research indicates that there are six areas in which POST might help local agencies statewide to reduce the accident rate. Because the final report is quite complete, these six categories will summarize the recommendations for POST involvement and provide some background data:

1) BASIC DRIVER TRAINING

Because of the unique driving requirements of law enforcement, the need for driver training in the basic course continues.

RECOMMENDED ACTIONS: Maintain current training and funding support levels. Call on an advisory committee as needed to serve as liaison in POST's periodic evaluation of curriculum, training innovations, reimbursement rates and other areas.

2) DRIVER INSTRUCTOR TRAINING

Based on responses from driver training presenters and POST staff, our observations are that there is a need for more standardized training for driver instructors.

RECOMMENDED ACTIONS: During the next three years, POST should develop standardized driver instructor training and a Driver Instructors' Manual.

5) SIMULATOR AND TECHNOLOGICAL DEVELOPMENTS

There are two areas of technology which are tailored to enhancing driver training effectiveness: simulation systems and computer-assisted interactive video instruction (CAIVI) devices. Each of these technologies can bring broader capabilities of effectiveness to our driver training efforts and have a strong potential for savings in staff and training time and costs. Since the Commission's approval in 1986 to seek funding for the development of a driver training simulator, staff has been soliciting sources and reviewing all options.

RECOMMENDED ACTIONS: The simulator funding search will continue during 1987 until the most viable options are brought before the Commission. POST also proposes to seek future approval from the Commission to fund, or seek outside funding for a CAIVI system designed for commentary defensive driving instruction.

6) FACILITY CONCERNS

Since most driver training courses are temporary, portable facilities tailored to the terrain of their "borrowed" sites rather than the ideal training design, there is a need for more dedicated facilities.

RECOMMENDED ACTIONS: The Commission approved POST staff to research training equipment and facility needs statewide which will occur during 1987. This research will include an examination of the need for dedicated driver training facilities. Further consideration concerning driver training facilities will be deferred until this study is completed.

Commission on Peace Officer Standards and Training
Legislative Review Committee Meeting
January 22, 1987, 9:00 a.m.
Hyatt Islandia Hotel - Seagull Room
San Diego, California

AGENDA

1. New Legislation
2. POST Funding Legislation
3. Open Discussion
4. Adjourn

BILL ANALYSIS

State of California
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
P.O. Box 20145
Sacramento, California 95820-0145

Department of Justice

FILE OR SUBJECT

Training: Electronic Surveillance

AUTHOR

Senator Presley

BILL NUMBER

SB 83

SPONSORED BY

California Peace Officers' Association

RELATED BILLS

None

DATE LAST AMENDED

12-11-86

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

Comments in this analysis will be restricted to those features of the bill that relate to the Commission on Peace Officer Standards and Training (POST).

General

Senate Bill 83 would:

1. Require that POST, in consultation with the Attorney General, establish a course of training in the legal, practical and technical aspects of the interception of private wire and oral communications and related investigative techniques.
2. Allow POST to charge a reasonable enrollment fee to offset the costs of this training for students not eligible for POST reimbursement.

Analysis

The proponents of this legislation indicate that there is a need for California law enforcement agencies to be allowed to utilize electronic surveillance as an investigative tool. To ensure that this tool is used in an appropriate manner, this bill would require POST to provide appropriate training and the Attorney General to certify peace officers who may conduct such investigations. This bill would allow POST and the Attorney General to charge a fee for the cost of training and certification.

It is anticipated that an appropriate course of training in the use of electronic surveillance investigative techniques would take a minimum of 40 hours of instruction to present. Due to the technical nature of such training, it is anticipated that approximately \$22,000 would be required to complete the development work. This includes staff time, as well as the convening of appropriate technical experts to ensure the course is valid and relates directly to the task which is to be performed. In addition, it is anticipated that course presentation cost would be \$5,710 per offering, with another \$12,000 needed for travel and per diem for 30 students. This does not include salary costs for the attending law enforcement officer. Because most, if not all, of the students attending the training would be from agencies that participate in the POST program, all of the above costs would be paid from the Peace Officer Training Fund. Fees would only be charged to those peace officers not eligible for such training cost reimbursement.

OFFICIAL POSITION

ANALYSIS BY

Don Beauchamp

DATE

1/6/87

REVIEWED BY

DATE

EXECUTIVE DIRECTOR

Norman C. Becker

DATE

1-6-87

COMMENT

Comments

Although the cost to the Peace Officer Training Fund would be moderate, it is felt that if the use of electronic surveillance as an investigative technique is allowed, appropriate training should be provided to peace officers who would be using this tool. POST is the appropriate agency to provide this training.

Recommendations

"Support" that portion of the bill relating to the providing of training to peace officers in the use of electronic surveillance investigative techniques.

Introduced by Senator Presley

December 11, 1986

An act to amend and repeal Section 631 of, to add and repeal Chapter 1.3 (commencing with Section 629) of Title 15 of Part 1 of, and to add and repeal Section 633.2 of, the Penal Code, relating to surveillance.

LEGISLATIVE COUNSEL'S DIGEST

SB 83, as introduced, Presley. Electronic surveillance.

Existing law generally prohibits electronic eavesdropping or recording of confidential communications with certain exceptions for certain law enforcement officers.

This bill would also authorize the interception of wire or oral communications by certain law enforcement officers under specified judicial authorization procedures. Any violation of these provisions would be punishable as a misdemeanor or felony, and persons aggrieved by a violation would have a civil cause of action for damages, as specified.

The bill would require the Commission on Peace Officer Standards and Training to establish a course of training and the Attorney General to set standards for certification of law enforcement officers to intercept private communications.

The bill would provide that the general prohibition against electronic eavesdropping or recording or tapping communications does not render inadmissible in a criminal proceeding any communication intercepted by federal officers which is validly authorized by a federal court.

The provisions of the bill would be repealed on January 1, 1993.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would impose a state-mandated local program by creating new crimes.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 1.3 (commencing with Section
2 629) is added to Title 15 of Part 1 of the Penal Code, to
3 read:

4
5 CHAPTER 1.3. ELECTRONIC SURVEILLANCE
6

7 629. Each application for an order authorizing the
8 interception of a wire or oral communication shall be
9 made in writing upon the personal oath or affirmation of
10 the Attorney General or Chief Assistant Attorney
11 General, Criminal Law Division, or of a district attorney,
12 to the presiding judge of the superior court or one other
13 judge designated by the presiding judge. Each
14 application shall include all of the following information:

15 (a) The identity of the investigative or law
16 enforcement officer making the application, and the
17 officer authorizing the application.

18 (b) The identity of the law enforcement agency that
19 is to execute the order.

20 (c) A statement attesting to a review of the application
21 and the circumstances in support thereof by the chief
22 executive officer, or his or her designee, of the law
23 enforcement agency making the application. This
24 statement shall name the chief executive officer or the
25 designee who effected this review.

26 (d) A full and complete statement of the facts and
27 circumstances relied upon by the applicant to justify his
28 or her belief that an order should be issued, including (1)
29 details as to the particular offense that has been, is being,
30 or is about to be committed, (2) the fact that
31 conventional investigative techniques had been tried and

1 were unsuccessful, or why they reasonably appear to be
2 unlikely to succeed or to be too dangerous, (3) a
3 particular description of the nature and location of the
4 facilities from which or the place where the
5 communication is to be intercepted, (4) a particular
6 description of the type of communication sought to be
7 intercepted, and (5) the identity, if known, of the person
8 committing the offense and whose communications are
9 to be intercepted, or if that person's identity is not
10 known, then the information relating to the person's
11 identity that is known to the applicant.

12 (e) A statement of the period of time for which the
13 interception is required to be maintained, and if the
14 nature of the investigation is such that the authorization
15 for interception should not automatically terminate
16 when the described type of communication has been first
17 obtained, a particular description of the facts establishing
18 probable cause to believe that additional
19 communications of the same type will occur thereafter.

20 (f) A full and complete statement of the facts
21 concerning all previous applications known, to the
22 individual authorizing and to the individual making the
23 application, to have been made to any judge of a state or
24 federal court for authorization to intercept wire or oral
25 communications involving any, of the same persons,
26 facilities, or places specified in the application, and the
27 action taken by the judge on each of those applications.

28 (g) If the application is for the extension of an order,
29 a statement setting forth the number of communications
30 intercepted pursuant to the original order, and the results
31 thus far obtained from the interception, or a reasonable
32 explanation of the failure to obtain results.

33 The judge may require the applicant to furnish
34 additional testimony or documentary evidence in
35 support of the application.

36 629.02. Upon application made under Section 629, the
37 judge may enter an ex parte order, as requested or
38 modified, authorizing interception of wire or oral
39 communications within the territorial jurisdiction of the
40 court in which the judge is sitting, if the judge determines

1 on the basis of the facts submitted by the applicant all of
2 the following:

3 (a) There is probable cause to believe that an
4 individual is committing, has committed, or is about to
5 commit, one of the following offenses:

6 (1) Any crime involving an immediate danger of
7 death to any person.

8 (2) Murder, as defined in Section 187.

9 (3) Kidnapping, as defined in Section 207.

10 (4) Robbery, as defined in Section 211.

11 (5) Importation, transportation, manufacture, or sale
12 of controlled substances in violation of Section 11352,
13 11379, 11379.5, or 11379.6 of the Health and Safety Code
14 with respect to a substance containing heroin, cocaine,
15 PCP, methamphetamine, or their analogs where the
16 substance exceeds 10 gallons by liquid volume or three
17 pounds of solid substance by weight.

18 (6) Conspiracy to commit any of the above-mentioned
19 crimes.

20 (b) There is probable cause to believe that particular
21 communications concerning the illegal activities will be
22 obtained through that interception.

23 (c) There is probable cause to believe that the
24 facilities from which, or the place where, the wire or oral
25 communications are to be intercepted are being used, or
26 or about to be used, in connection with the commission
27 of the offense, or are leased to, listed in the name of, or
28 commonly used by the person.

29 (d) Normal investigative procedures have been tried
30 and have failed or reasonably appear either to be unlikely
31 to succeed if tried or to be too dangerous.

32 629.04. Each order authorizing the interception of
33 any wire or oral communication shall specify:

34 (a) The identity, if known, of the person whose
35 communications are to be intercepted, or if the identity
36 is not known, then that information relating to the
37 person's identity known to the applicant.

38 (b) The nature and location of the communication
39 facilities as to which, or the place where, authority to
40 intercept is granted.

1 (c) A particular description of the type of
2 communication sought to be intercepted, and a
3 statement of the illegal activities to which it relates.

4 (d) The identity of the agency authorized to intercept
5 the communications and of the person making the
6 application.

7 (e) The period of time during which the interception
8 is authorized including a statement as to whether or not
9 the interception shall automatically terminate when the
10 described communication has been first obtained.

11 629.06. (a) Upon informal application by the
12 Attorney General, the Chief Assistant Attorney General,
13 Criminal Law Division, or a district attorney, the
14 presiding judge of the superior court or one other judge
15 designated by the presiding judge may grant oral
16 approval for an interception, without an order, if he or
17 she determines all of the following:

18 (1) There are grounds upon which an order could be
19 issued under this chapter.

20 (2) There is probable cause to believe that an
21 emergency situation exists with respect to the
22 investigation of an offense enumerated in this chapter.

23 (3) There is probable cause to believe that a
24 substantial danger to life or limb exists justifying the
25 authorization for immediate interception of a private
26 wire or oral communication before an application for an
27 order could with due diligence be submitted and acted
28 upon.

29 (b) Approval for an interception under this section
30 shall be conditioned upon filing with the judge, within 48
31 hours of the oral approval, a written application for an
32 order which, if granted consistent with this chapter, shall
33 also recite the oral approval under this subdivision and be
34 retroactive to the time of the oral approval.

35 629.08. No order entered under this chapter shall
36 authorize the interception of any wire or oral
37 communication for any period longer than is necessary to
38 achieve the objective of the authorization, nor in any
39 event longer than 30 days. Extensions of an order may be
40 granted, but only upon application for an extension made

1 in accordance with Section 629 and upon the court
2 making findings required by Section 629.02. The period
3 of extension shall be no longer than the authorizing judge
4 deems necessary to achieve the purposes for which it was
5 granted and in no event any longer than 30 days. Every
6 order and extension thereof shall contain a provision that
7 the authorization to intercept shall be executed as soon
8 as practicable, shall be conducted in such a way as to
9 minimize the interception of communications not
10 otherwise subject to interception under this chapter, and
11 shall terminate upon attainment of the authorized
12 objective, or in any event at the time expiration of the
13 term designated in the order or any extensions.

14 629.10. Whenever an order authorizing an
15 interception is entered, the order shall require reports in
16 writing or otherwise to be made to the judge who issued
17 the order showing what progress has been made toward
18 achievement of the authorized objective, or a satisfactory
19 explanation for its lack, and the need for continued
20 interception. If the judge finds that such progress has not
21 been made, that the explanation for its lack is not
22 satisfactory, or that no need exists for continued
23 interception, he or she shall order that the interception
24 immediately terminate. The reports shall be made at the
25 intervals that the judge may require, but not less than one
26 for each period of 72 hours.

27 629.12. The Attorney General shall prepare and
28 submit a report to the Legislature, the Judicial Council,
29 and the Director of the Administrative Office of the
30 United States Court on interceptions conducted under
31 the authority of this chapter during the preceding year.
32 Information for this report shall be provided to the
33 Attorney General by any prosecutorial agency seeking an
34 order pursuant to this chapter. This report shall include
35 data on the number of orders applied for, the number of
36 orders granted, the results of orders executed, the
37 prosecutions undertaken from information gained
38 pursuant to an order, and the results of the prosecutions,
39 as well as other data that the Legislature, the Judicial
40 Council, or the Director of the Administrative Office

1 shall require.

2 629.14. The contents of any wire or oral
3 communication intercepted by any means authorized by
4 this chapter shall, if possible, be recorded on tape or wire
5 or other comparable device. The recording of the
6 contents of any wire or oral communication pursuant to
7 this chapter shall be done in a way that will protect the
8 recording from editing or other alterations and ensure
9 that the audio tape recording can be immediately
10 verified as to its authenticity and originality and that any
11 alterations can be immediately detected. In addition, the
12 monitoring or recording device shall be of a type and
13 shall be installed to preclude any interruption or
14 monitoring of the interception by any unauthorized
15 means. Immediately upon the expiration of the period of
16 the order, or extensions thereof, the recordings shall be
17 made available to the judge issuing the order and sealed
18 under his or her directions. Custody of the recordings
19 shall be where the judge orders. They shall not be
20 destroyed except upon an order of the issuing or denying
21 judge and in any event shall be kept for 10 years.
22 Duplicate recordings may be made for use or disclosure
23 pursuant to the provisions of Sections 629.24 and 629.26
24 for investigations. The presence of the seal provided for
25 by this section, or a satisfactory explanation for the
26 absence thereof, shall be a prerequisite for the use or
27 disclosure of the contents of any wire or oral
28 communication or evidence derived therefrom under
29 Section 629.28.

30 619.16. Applications made and orders granted
31 pursuant to this chapter shall be sealed by the judge.
32 Custody of the applications and orders shall be where the
33 judge orders. The applications and orders shall be
34 disclosed only upon a showing of good cause before a
35 judge and shall not be destroyed except on order of the
36 issuing or denying judge, and in any event shall be kept
37 for 10 years.

38 629.18. Within a reasonable time, but no later than 90
39 days, after the termination of the period of an order or
40 extensions thereof, or after the filing of an application for

1 an order of approval under Section 629.06 which has been
2 denied, the issuing judge shall cause to be served upon
3 persons named in the order or the application, and other
4 known parties to intercepted communications, an
5 inventory which shall include notice of all of the
6 following:

7 (a) The fact of the entry of the order.

8 (b) The date of the entry and the period of authorized
9 interception.

10 (c) The fact that during the period wire or oral
11 communications were or were not intercepted.

12 The judge, upon filing of a motion, may, in his or her
13 discretion, make available to the person or his or her
14 counsel for inspection the portions of the intercepted
15 communications, applications, and orders that the judge
16 determines to be in the interest of justice. On an ex parte
17 showing of good cause to a judge, the serving of the
18 inventory required by this section may be postponed.
19 The period of postponement shall be no longer than the
20 authorizing judge deems necessary to achieve the
21 purposes for which it was granted.

22 629.20. The contents of any intercepted wire or oral
23 communication or evidence derived from it shall not be
24 received in evidence or otherwise disclosed in any trial,
25 hearing, or other proceeding, except a grand jury
26 proceeding, unless each party, not less than 10 days
27 before trial, hearing, or proceeding, has been furnished
28 with a transcript of the contents of the interception and
29 with a copy of the court order and accompanying
30 application under which the interception was
31 authorized. This 10-day period may be waived by the
32 judge if he or she finds that it was not possible to furnish
33 the party with the above information 10 days before the
34 trial, hearing, or proceeding, and that the party will not
35 be prejudiced by the delay in receiving that information.

36 629.22. Any person in any trial, hearing, or
37 proceeding, may move to suppress some or all of the
38 contents of any intercepted wire or oral communications,
39 or evidence derived therefrom, only on the basis that the
40 contents or evidence were obtained in violation of the

1 Fourth Amendment of the United States Constitution.
2 The motion shall be made, determined, and be subject to
3 review in accordance with the procedures set forth in
4 Section 1538.5.

5 629.24. The Attorney General, any Deputy Attorney
6 General, district attorney, or deputy district attorney, or
7 any peace officer who, by any means authorized by this
8 chapter, has obtained knowledge of the contents of any
9 wire or oral communication, or evidence derived
10 therefrom, may disclose the contents to one of the
11 individuals referred to in this section and to any
12 investigative or law enforcement officer as defined in
13 subdivision (7) of Section 2510 of Title 18 of the United
14 States Code to the extent that the disclosure is
15 appropriate to the proper performance of the official
16 duties of the individual making or receiving the
17 disclosure. No other disclosure, except to a grand jury, of
18 intercepted information is permitted prior to a public
19 court hearing by any person regardless of how the person
20 may have come into possession thereof.

21 629.26. The Attorney General, any Deputy Attorney
22 General, district attorney, or deputy district attorney, or
23 any peace officer who, by any means authorized by this
24 chapter, has obtained knowledge of the contents of any
25 wire or oral communication or evidence derived
26 therefrom may use the contents to the extent the use is
27 appropriate to the proper performance or his or her
28 official duties.

29 629.28. Any person who has received, by any means
30 authorized by this chapter, any information concerning a
31 wire or oral communication, or evidence derived
32 therefrom, intercepted in accordance with the provisions
33 of this chapter, may disclose the contents of that
34 communication or derivative evidence while giving
35 testimony under oath or affirmation in any criminal court
36 proceeding or in any grand jury proceeding.

37 629.30. No otherwise privileged wire or oral
38 communication intercepted in accordance with, or in
39 violation of, the provisions of this chapter shall lose its
40 privileged character. When a peace officer, while

1 engaged in intercepting wire or oral communications in
2 the manner authorized by this chapter, intercepts wire or
3 oral communications that are of a privileged nature he or
4 she shall immediately cease the interception for at least
5 two minutes. After a period of at least two minutes,
6 interception may be resumed for up to 30 seconds during
7 which time the officer shall determine if the nature of the
8 communications is still privileged. If still of a privileged
9 nature, the officer shall again cease interception for at
10 least two minutes, after which the officer may again
11 resume interception for up to 30 seconds to redetermine
12 the nature of the communication. The officer shall
13 continue to go on-line and off-line in this manner until
14 such time as the communication is no longer privileged
15 or the communication ends. The recording device shall
16 be metered in such a way as to authenticate upon review
17 that interruptions occurred as set forth in this chapter.

18 629.32. If a peace officer, while engaged in
19 intercepting wire or oral communications in the manner
20 authorized by this chapter, intercepts wire or oral
21 communications relating to crimes other than those
22 specified in the order of authorization, the contents
23 thereof, and evidence derived therefrom, may be
24 disclosed or used as provided in Sections 629.24 and
25 629.26. The contents and any evidence derived therefrom
26 may be used under Section 629.28 when authorized by a
27 judge if the judge finds upon subsequent application, that
28 the contents were otherwise intercepted in accordance
29 with the provisions of this chapter. The application shall
30 be made as soon as practicable.

31 629.34. Any violation of this chapter is punishable by
32 a fine not exceeding two thousand five hundred dollars
33 (\$2,500), or by imprisonment in the county jail not
34 exceeding one year, or by imprisonment in the state
35 prison, or by both such fine and imprisonment in the
36 county jail or in the state prison.

37 629.36. Any person whose wire or oral
38 communication is intercepted, disclosed, or used in
39 violation of this chapter shall have the following
40 remedies:

1 (a) Have a civil cause of action against any person who
2 intercepts, discloses, or uses, or procures any other person
3 to intercept, disclose, or use the communications.

4 (b) Be entitled to recover, in that action, all of the
5 following:

6 (1) Actual damages but not less than liquidated
7 damages computed at the rate of one hundred dollars
8 (\$100) a day for each day of violation or one thousand
9 dollars (\$1,000), whichever is greater.

10 (2) Punitive damages.

11 (3) Reasonable attorney's fee and other litigation costs
12 reasonably incurred.

13 A good faith reliance on a court order shall constitute
14 a complete defense to any civil or criminal action brought
15 under this chapter, or under Chapter 1.5 (commencing
16 with Section 630) or any other law.

17 629.38. Nothing in Section 631 or 632 shall be
18 construed as prohibiting any peace officer from
19 intercepting any wire or oral communication pursuant to
20 an order issued in accordance with the provisions of this
21 chapter. Nothing in Section 631 or 632 shall be construed
22 as rendering inadmissible in any criminal proceeding in
23 any court or before any grand jury any evidence obtained
24 by means of an order issued in accordance with the
25 provisions of this chapter. Nothing in Section 637 shall be
26 construed as prohibiting the disclosure of the contents of
27 any oral or wire communication obtained by any means
28 authorized by this chapter, if the disclosure is authorized
29 by this chapter. Nothing in this chapter shall apply to any
30 conduct authorized by Section 633.

31 629.39. No order issued pursuant to this chapter shall
32 either directly or indirectly authorize covert entry into or
33 upon the premises of a private residential dwelling for
34 installation or removal of any interception device or for
35 any other purpose. Notwithstanding that such entry is
36 otherwise prohibited by any other section or code, this
37 chapter expressly prohibits covert entry of a private
38 residential dwelling to facilitate an order to intercept
39 wire or oral communication. Nothing in this section shall
40 preclude covert entry into a motel, hotel, or business

1 premise.

2 629.40. An order authorizing the interception of a
3 wire or oral communication shall direct, upon request of
4 the applicant, that a public utility engaged in the business
5 of providing communications services and facilities, a
6 landlord, custodian, or any other person furnish the
7 applicant forthwith all information, facilities, and
8 technical assistance necessary to accomplish the
9 interception unobtrusively and with a minimum of
10 interference with the services which the public utility,
11 landlord, custodian, or other person is providing the
12 person whose communications are to be intercepted. Any
13 such public utility, landlord, custodian, or other person
14 furnishing facilities or technical assistance shall be fully
15 compensated by the applicant for the reasonable costs of
16 furnishing the facilities and technical assistance.

17 629.41. A good faith reliance on a court order issued
18 in accordance with this chapter by any public utility,
19 landlord, custodian, or any other person furnishing
20 information, facilities, and technical assistance as
21 directed by the order shall constitute a complete defense
22 to any civil or criminal action brought under this chapter,
23 or under Chapter 1.5 (commencing with Section 630) or
24 any other law.

25 629.42. Notwithstanding any other provision of law,
26 any court to which an application is made in accordance
27 with this chapter may take any evidence, make any
28 finding, or issue any order required to conform the
29 proceedings or the issuance of any order of authorization
30 or approval to the provisions of the Constitution of the
31 United States or any law of the United States.

32 629.44. (a) The Commission on Peace Officer
33 Standards and Training, in consultation with the
34 Attorney General, shall establish a course of training in
35 the legal, practical, and technical aspects of the
36 interception of private wire and oral communications
37 and related investigative techniques.

38 (b) The Attorney General shall set minimum
39 standards for certification and periodic recertification of
40 investigative or law enforcement officers as eligible to

1 apply for orders authorizing the interception of private
2 wire or oral communications, to conduct the
3 interceptions, and to use the communications or
4 evidence derived from them in official proceedings.

5 (c) The Commission on Peace Office Standards and
6 Training may charge a reasonable enrollment fee for
7 those students who are employed by an agency not
8 eligible for reimbursement by the commission to offset
9 the costs of the training. The Attorney General may
10 charge a reasonable fee to offset the cost of certification.

11 629.46. If any provision of this chapter, or the
12 application thereof to any person or circumstances, is
13 held invalid, the remainder of the chapter, and the
14 application of its provisions to other persons or
15 circumstances, shall not be affected thereby.

16 629.48. This chapter shall remain in effect only until
17 January 1, 1993, and as of that date is repealed.

18 SEC. 2. Section 631 of the Penal Code is amended to
19 read:

20 631. (a) Any person who, by means of any machine,
21 instrument, or contrivance, or in any other manner,
22 intentionally taps, or makes any unauthorized
23 connection, whether physically, electrically, acoustically,
24 inductively, or otherwise, with any telegraph or
25 telephone wire, line, cable, or instrument, including the
26 wire, line, cable, or instrument of any internal telephonic
27 communication system, or who willfully and without the
28 consent of all parties to the communication, or in any
29 unauthorized manner, reads, or attempts to read, or to
30 learn the contents or meaning of any message, report, or
31 communication while the same is in transit or passing
32 over any such wire, line, or cable, or is being sent from,
33 or received at any place within this state; or who uses, or
34 attempts to use, in any manner, or for any purpose, or to
35 communicate in any way, any information so obtained, or
36 who aids, agrees with, employs, or conspires with any
37 person or persons to unlawfully do, or permit, or cause to
38 be done any of the acts or things mentioned above in this
39 section, is punishable by a fine not exceeding two
40 thousand five hundred dollars (\$2,500), or by

1 imprisonment in the county jail not exceeding one year,
2 or by imprisonment in the state prison, or by both such
3 fine and imprisonment in the county jail or in the state
4 prison. If such person has previously been convicted of a
5 violation of this section or Section 632 or 636, he is
6 punishable by fine not exceeding ten thousand dollars
7 (\$10,000), or by imprisonment in the county jail not
8 exceeding one year, or by imprisonment in the state
9 prison, or by both such fine and imprisonment in the
10 county jail or in the state prison.

11 (b) This section shall not apply (1) to any public
12 utility engaged in the business of providing
13 communications services and facilities, or to the officers,
14 employees or agents thereof, where the acts otherwise
15 prohibited herein are for the purpose of construction,
16 maintenance, conduct or operation of the services and
17 facilities of such public utility, or *where the public utility*
18 *is acting in good faith reliance on a court order issued*
19 *under Chapter 1.3 (commencing with Section 629), or*

20 (2) to the use of any instrument, equipment, facility, or
21 service furnished and used pursuant to the tariffs of such
22 a public utility, or (3) to any telephonic communication
23 system used for communication exclusively within a
24 state, county, city and county, or city correctional facility.

25 (c) Except as proof in an action or prosecution for
26 violation of this section, no evidence obtained in violation
27 of this section shall be admissible in any judicial,
28 administrative, legislative or other proceeding.

29 (d) *This section shall remain in effect only until*
30 *January 1, 1993, and as of that date is repealed, unless a*
31 *later enacted statute, which is enacted before January 1,*
32 *1993, deletes or extends that date. If that date is not*
33 *deleted or extended, then, on and after January 1, 1993,*
34 *pursuant to Section 9611 of the Government Code, this*
35 *section, as amended by Section 257 of Chapter 1139 of the*
36 *Statutes of 1976, shall have the same force and effect as*
37 *if this temporary provision has not been enacted.*

38 SEC. 3. Section 633.2 is added to the Penal Code, to
39 read:

40 633.2. Nothing in Section 631 or 632 or any other

1 provision of law shall render inadmissible in any criminal
2 proceeding in any court, or before a grand jury, any
3 communication intercepted by any federal investigative
4 or law enforcement officers which is validly authorized
5 by a federal court under federal law.

6 This section shall remain in effect only until January 1,
7 1993, and as of that date is repealed.

8 SEC. 4. No reimbursement is required by this act
9 pursuant to Section 6 of Article XIII B of the California
10 Constitution because the only costs which may be
11 incurred by a local agency or school district will be
12 incurred because this act creates a new crime or
13 infraction, changes the definition of a crime or infraction,
14 changes the penalty for a crime or infraction, or
15 eliminates a crime or infraction.

O

BILL ANALYSIS

State of California Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
P.O. Box 20145
Sacramento, California 95820-0145

TITLE OR SUBJECT Hazardous Materials: Training	AUTHOR Assemblyman Elder	BILL NUMBER AB 100
SPONSORED BY Author	RELATED BILLS None	DATE LAST AMENDED 12-10-86

BILL SUMMARY (GENERAL, ANALYSIS, ADVANTAGES, DISADVANTAGES, COMMENTS)

The comments in this analysis shall be limited to those sections of the bill that relate to the Commission on Peace Officer Standards and Training (POST).

General

Assembly Bill 100 would:

1. Establish in the Office of Criminal Justice Planning (OCJP) a program of financial assistance to, among other things, provide for statewide education and training programs in the enforcement of hazardous materials laws for peace officers and others.
2. Provide funds to public or private organizations for the purpose of establishing hazardous materials enforcement education and training programs for peace officers and others. Prior to the allocation of such funds, POST is to be consulted.
3. Establish a Hazardous Materials Enforcement Advisory Committee within OCJP to include a representative of POST, to assist OCJP in carrying out the provisions of the program.
4. Require POST to provide by July 1, 1988, a training course for local and state peace officers in the detection of violations and the apprehension of suspects related to hazardous materials laws.
5. Provide \$70,000 to POST to carry out the provisions of this bill relating to the Commission.

Analysis

This bill, which will be known as the "Local Toxics Enforcement and Training Act of 1988", is designed to provide for the funding of education and training programs relating to the enforcement of hazardous materials laws.

Because the Office of Criminal Justice Planning is recognized as the coordinator for various criminal justice grant and funding programs throughout the State, the author is of the opinion that they are a logical agency to manage this multi-disciplinary grant and training effort.

OFFICIAL POSITION			
ANALYSIS BY <i>Don Beauchamp</i>	DATE 1/6/87	REVIEWED BY	DATE
EXECUTIVE DIRECTOR <i>Norman C. Behr</i>	DATE 1-6-87	COMMENT	

Although normally the Commission on Peace Officer Standards and Training (POST) would be given direct responsibility for the training of peace officers in hazardous materials laws, the other aspects of the proposal (grant, multi-disciplinary training, etc.) made that approach impractical. While OCJP has the primary responsibility for the development and presentation of the required training, the peace officer training element is to be coordinated with POST. Further, POST is to be represented on the Advisory Committee that will assist OCJP in carrying out this program.

While not an ideal arrangement, this proposal appears workable and allows POST input in the design and presentation of the law enforcement training element of the program. It further provides \$70,000 to POST to carry out its responsibilities prior to the July 1, 1988 deadline.

Comments

Although there is a need for additional funds for education and training programs related to hazardous material law enforcement, it is not clear that OCJP should be identified as the agency to coordinate this activity. Current law gives this responsibility to the Office of Emergency Services. Also, there is some question as to whether or not the training for local peace officers could not be directly handled by POST. Currently, the Commission has several such courses certified.

Based on the question of who should have the responsibility for this type of program, it would seem appropriate that POST neither support nor oppose AB 100.

Recommendation

Neutral.

ASSEMBLY BILL

No. 100

Introduced by Assembly Member Elder

December 10, 1986

An act to add Title 11 (commencing with Section 14300) to Part 4 of the Penal Code, relating to hazardous materials, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 100, as introduced, Elder. Hazardous materials: enforcement.

Under existing law, the Office of Criminal Justice Planning is required to develop a comprehensive statewide plan for the improvement of criminal justice activity throughout the state.

This bill would enact the Local Toxics Enforcement and Training Act of 1988 and would establish within the office a program to provide grants to provide training programs in the enforcement of hazardous materials laws for peace officers, local public health and environmental officers, and local public prosecutors, and to enhance local hazardous materials enforcement efforts. The executive director of the office would be authorized to allocate these grants to specified agencies and organizations and would be required to submit an annual report, commencing January 1, 1990, to the Legislature and the Governor concerning this program.

The bill would require the office, in consultation with the Hazardous Materials Enforcement Advisory Committee, which this bill would establish with specified membership and duties, to develop criteria and guidelines for the selection of grant applicants.

The bill would require the Commission on Peace Officer Standards and Training to provide a course or courses, by July 1, 1988, to train local peace officers concerning hazardous

materials laws violations.

The bill would allow the executive director to award grants to the California District Attorneys' Association and the California Association of Environmental Health Administrators to provide specified courses concerning hazardous materials by July 1, 1988.

The bill would require the office to award grants for 6 one-year pilot projects for local hazardous materials enforcement of up to \$150,000.

The bill would establish the Hazardous Materials Enforcement and Training Account in the General Fund and would authorize the office to expend the funds in this account, upon appropriation by the Legislature, to carry out the bill's provisions.

The bill would transfer \$1,500,000 from the Hazardous Waste Control Account in the General Fund to the Hazardous Materials Enforcement and Training Account and would appropriate, from the Hazardous Materials Enforcement and Training Account, \$70,000 to the Commission on Peace Officer Standards and Training to carry out the training specified above, and \$1,430,000 to the office to carry out this bill, allocated as specified.

The bill would declare the intention of the Legislature concerning future appropriations.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Title 11 (commencing with Section
2 14300) is added to Part 4 of the Penal Code, to read:

3

4 TITLE 11. LOCAL TOXICS ENFORCEMENT AND
5 TRAINING PROGRAMS

6

7 CHAPTER 1. GENERAL PROVISIONS

8

9 14300. (a) The Legislature finds and declares all of
10 the following:

11 (1) Enforcement of California's hazardous materials

1 laws is essential to protect public health, the
2 environment, and the state's economy.

3 (2) There is a need to better intergrate enforcement
4 of hazardous waste laws into California's established
5 criminal justice system.

6 (3) Local law enforcement agencies can play an
7 increasingly important role in protecting public health,
8 the environment, and the state's economy through
9 greater involvement in the enforcement of hazardous
10 materials laws.

11 (4) There currently is no statewide funded program
12 that provides local enforcement officials with the training
13 and support to prosecute hazardous materials laws
14 violations.

15 (5) Prosecuting hazardous materials laws violators
16 often requires special training to detect violations,
17 understand complex hazardous materials laws, and
18 prepare and present complicated enforcement cases.

19 (6) There is a need to establish programs to assist local
20 enforcement officials in prosecuting violations of
21 hazardous materials laws through the training of police
22 officers, special investigators, district attorneys, and city
23 attorneys.

24 (7) Proper and aggressive enforcement of hazardous
25 materials statutes is multidisciplinary and involves law
26 enforcement and public and environmental health
27 departments and the offices of local public prosecutors.

28 (b) For purposes of this title, "hazardous materials"
29 has the same meaning as found in Section 25501 of the
30 Health and Safety Code and "office" means the Office of
31 Criminal Justice Planning.

32 (c) This title shall be known and may be cited as the
33 Local Toxics Enforcement and Training Act of 1988.

34 14301. (a) There is hereby established in the Office
35 of Criminal Justice Planning, a program of financial
36 assistance to do all of the following:

37 (1) Provide for statewide education and training
38 programs in the enforcement of hazardous materials laws
39 for peace officers, local public health and environmental
40 health officers, and local public prosecutors.

1 (2) Establish enhanced local hazardous materials
2 enforcement efforts.

3 All funds made available to the office for the purposes
4 of this title shall be administered and distributed by the
5 executive director of the office.

6 (b) The executive director of the office may allocate
7 and award funds to public agencies or private nonprofit
8 organizations for purposes of establishing statewide
9 hazardous materials enforcement education and training
10 programs for peace officers, local public health and
11 environmental health officers, and local public
12 prosecutors pursuant to Chapter 2 (commencing with
13 Section 14304), Chapter 3 (commencing with Section
14 14306), and Chapter 4 (commencing with Section 14308)
15 which meet the criteria established pursuant to those
16 chapters and Section 14302. To ensure that these
17 programs are coordinated with existing peace officer
18 training, the Commission on Peace Officer Standards and
19 Training shall be consulted prior to the allocation of funds
20 to peace officer education and training programs.

21 (c) The executive director of the office may allocate
22 and award funds to public agencies pursuant to Chapter
23 5 (commencing with Section 14309) for the purpose of
24 improving enforcement of statutes dealing with
25 hazardous materials by enhancing the investigation and
26 prosecution of violations of those laws.

27 (d) On or before January 1, 1990, and annually
28 thereafter, the executive director of the office shall
29 submit a report to the Legislature and the Governor
30 describing the operation and accomplishments of the
31 statewide programs authorized by this title.

32 14302. (a) Notwithstanding any other provision of
33 this title, the office, in consultation with the Hazardous
34 Materials Enforcement Advisory Committee established
35 pursuant to subdivision (b), shall develop criteria and
36 specific guidelines for (1) the selection of hazardous
37 materials enforcement education and training programs
38 for peace officers, local public health and environmental
39 health officers, and local public prosecutors pursuant to
40 Chapter 2 (commencing with Section 14304), Chapter 3

1 (commencing with Section 14306), and Chapter 4
2 (commencing with Section 14308), (2) the selection of
3 local agencies to receive grants for enforcement of
4 hazardous materials control laws pursuant to Chapter 5
5 (commencing with Section 14309).

6 (b) The Hazardous Materials Enforcement Advisory
7 Committee is hereby established and shall be composed
8 of the following 10 members:

9 (1) Two district attorneys, one appointed by the
10 Governor and one by the Senate Committee on Rules.

11 (2) One deputy district attorney appointed by the
12 Speaker of the Assembly, who at the time of appointment
13 shall have, as a primary responsibility, the prosecution of
14 statutes pertaining to hazardous materials.

15 (3) One sheriff or chief of police appointed by the
16 Senate Committee on Rules.

17 (4) One peace officer of the rank of sergeant or below,
18 who at the time of appointment has, as a primary
19 assignment, the enforcement of statutes dealing with
20 hazardous materials, appointed by the Speaker of the
21 Assembly.

22 (5) One local public health officer appointed by the
23 Governor.

24 (6) Two local directors of environmental health
25 services; one appointed by the Senate Committee on
26 Rules and one by the Speaker of the Assembly.

27 (7) A representative of the Commission on Peace
28 Officer Standards and Training appointed by the
29 Governor.

30 (8) The Commissioner of the California Highway
31 Patrol or the commissioner's designee.

32 (c) The Attorney General and the State Director of
33 Health Services may participate as ex officio nonvoting
34 members of the Hazardous Materials Enforcement
35 Advisory Committee. The chair and vice chair of the
36 Hazardous Materials Enforcement Advisory Committee
37 shall be appointed by the Governor. Members of the
38 Hazardous Materials Enforcement Advisory Committee
39 shall receive no compensation, but shall be reimbursed
40 for their actual and necessary travel expenses incurred in

1 performance of their duties. For purposes of
2 compensation, attendance at meetings of the Hazardous
3 Materials Enforcement Advisory Committee shall also
4 constitute performance by a member of the duties of the
5 member's employment.

6 (d) The office shall administer the overall program
7 established by this title. The office may, out of any
8 appropriations for this program, expend an amount not to
9 exceed 7½ percent thereof for any fiscal year for these
10 purposes.

11 14303. There is hereby created, in the General Fund,
12 the Hazardous Materials Enforcement and Training
13 Account and the moneys in the account may be
14 expended by the office, upon appropriation by the
15 Legislature, for the purposes of this title.

16

17 CHAPTER 2. PEACE OFFICER TOXICS TRAINING

18

19 14304. (a) The Commission on Peace Officer
20 Standards and Training shall provide, on or before July 1,
21 1988, a course or courses of instruction for training local
22 peace officers and peace officers employed by the
23 Department of Justice and the Department of the
24 California Highway Patrol in the detection of violations,
25 and apprehension of suspected violators of state and local
26 hazardous materials laws.

27 (b) The course or courses of instruction shall, as a
28 minimum, include all of the following:

29 (1) Understanding hazardous materials laws.

30 (2) Detecting violations of hazardous materials laws
31 while carrying out normal law enforcement duties.

32 (3) Knowing steps to take when violations are
33 discovered in order to protect public health and facilitate
34 prosecution of violators.

35 (c) The Commission on Peace Officer Standards and
36 Training shall make a reasonable effort to assure that the
37 training course or courses provided pursuant to this
38 section are made available to local law enforcement
39 agencies.

1 CHAPTER 3. DISTRICT ATTORNEY, CITY ATTORNEY
2 AND INVESTIGATOR TOXICS TRAINING
3

4 14306. (a) The executive director of the office may
5 award a grant to the California District Attorneys'
6 Association to develop and implement, on or before July
7 1, 1988, a course or courses of instruction for the training
8 of district attorneys, city attorneys, and the Attorney
9 General and his or her deputies in the enforcement of
10 state and local hazardous materials laws.

11 (b) The course or courses of instruction shall, as a
12 minimum, do all of the following:

13 (1) Provide an understanding of the requirements of
14 hazardous materials laws.

15 (2) Teach prosecution techniques that will facilitate
16 prosecution of hazardous materials laws violators,
17 including the use of case examples and simulated trials.

18 (3) Provide hazardous materials prosecution training
19 materials, including, but not limited to, expert witness
20 profiles and case law summaries and analysis.

21 (4) Train not less than 100 local public prosecutors.

22 14307. (a) The executive director of the office may
23 award a grant to the California District Attorneys'
24 Association to develop and implement, on or before July
25 1, 1988, a course or courses of instruction for the training
26 of enforcement investigative personnel from the offices
27 of district attorneys, city attorneys, fire departments,
28 health agencies, and peace officers with the concurrence
29 of the Commission on Peace Officer Standards and
30 Training.

31 (b) The course or courses of instruction shall, as a
32 minimum, do all of the following:

33 (1) Provide an understanding of the requirements of
34 hazardous materials laws.

35 (2) Teach enforcement investigative techniques that
36 will facilitate the prosecution of hazardous materials laws
37 violations.

38 (3) Provide training materials for investigators.

39 (4) Train not less than 300 special hazardous materials
40 investigators.

1 CHAPTER 4. LOCAL PUBLIC AND ENVIRONMENTAL
2 HEALTH OFFICER TOXICS TRAINING
3

4 14308. (a) The executive director of the office may
5 award a grant to the California Association of
6 Environmental Health Administrators to develop and
7 implement, on or before July 1, 1988, a course or courses
8 of instruction for training local public and environmental
9 health officers in the enforcement of hazardous materials
10 laws.

11 (b) The course or courses of instruction shall, as a
12 minimum, do all of the following:

13 (1) Provide an understanding of the requirements of
14 hazardous materials laws.

15 (2) Teach enforcement investigative techniques that
16 will assist in the prosecution of hazardous materials laws
17 violations.

18 (3) Provide training materials for officers.

19 (4) Train not less than 100 officers.
20

21 CHAPTER 5. LOCAL TOXICS PROSECUTION PILOT
22 PROJECTS
23

24 14309. The office shall award grants for six one-year
25 pilot projects which shall be known as the Special Local
26 Toxics Enforcement Projects. The grant for each pilot
27 project shall include the funding of at least one full-time
28 district attorney or city attorney, and one special
29 hazardous materials investigator who shall assist the
30 district attorney or city attorney in developing hazardous
31 materials enforcement cases. The office shall award and
32 administer the grants for the Special Local Toxics
33 Enforcement Projects pursuant to this chapter.

34 14310. The Special Local Toxics Enforcement
35 Projects established pursuant to this chapter shall have
36 the following purposes:

37 (a) Discourage the commission of violations of
38 hazardous materials laws by demonstrating the effective
39 response of the criminal justice system to these violations.

40 (b) Establish hazardous materials crimes prevention,

1 enforcement, and prosecution techniques with statewide
2 application.

3 (c) Increase the awareness and effectiveness of efforts
4 to enforce hazardous materials laws and to better
5 integrate hazardous materials prosecution into
6 California's established criminal justice system.

7 14311. The office shall not award more than one
8 hundred fifty thousand dollars (\$150,000) to any local
9 jurisdiction awarded a grant pursuant to this chapter. As
10 a condition of the award of a grant, the local jurisdiction
11 shall sign a grant agreement with the office establishing
12 the performance requirements for the grant. The office
13 shall award six grants on or before January 1, 1989.

14 14312. The office shall establish guidelines for the
15 submission and review of applications by local
16 jurisdictions for grants to establish projects pursuant to
17 this chapter. The office shall review the applications and
18 the establishment of pilot programs in nine different
19 cities or counties. The office shall prioritize the
20 applications based on all of the following criteria:

21 (a) The need within the applicant jurisdiction for
22 establishing a hazardous materials enforcement pilot
23 program.

24 (b) The financial needs of the applicant jurisdiction.

25 (c) The ability of the applicant jurisdiction to continue
26 funding the program after the grant funds have been
27 exhausted.

28 (d) The ability of the applicant jurisdiction to
29 adequately carry out the program.

30 14313. The office shall report to the Legislature on or
31 before January 1, 1990, on the implementation of this
32 chapter. The report shall include a description of each
33 program funded, the success or failure of each program
34 in increasing prosecution of hazardous materials laws
35 violations, and the ongoing ability of the local
36 jurisdictions to continue to fund the programs. The
37 report shall also recommend to the Legislature whether
38 these programs should be established in other counties
39 and cities.

40 SEC. 2. The sum of one million five hundred

1 thousand dollars (\$1,500,000) is hereby transferred from
2 the Hazardous Waste Control Account in the General
3 Fund to the Hazardous Materials Enforcement and
4 Training Account in the General Fund, established
5 pursuant to Section 14303 of the Penal Code, and is
6 hereby appropriated for expenditure as follows:

7 (a) Seventy thousand dollars (\$70,000) to the
8 Commission on Peace Officer Standards and Training, for
9 expenditure without regard to fiscal year, for the
10 purposes specified in Section 14304 of the Penal Code.

11 (b) One million four hundred thirty thousand dollars
12 (\$1,430,000) to the Office of Criminal Justice Planning, as
13 follows:

14 (1) Fifty thousand dollars (\$50,000) for the purposes of
15 awarding the grant specified in Section 14306 of the Penal
16 Code.

17 (2) Two hundred eighty thousand dollars (\$280,000)
18 for the purposes of awarding the grant specified in
19 Section 14307 of the Penal Code.

20 (3) One hundred thousand dollars (\$100,000) for the
21 purposes of awarding the grant specified in Section 14308
22 of the Penal Code.

23 (4) Nine hundred thousand dollars (\$900,000) for the
24 purposes of awarding the grants specified in Chapter 5
25 (commencing with Section 14309) of Title 11 of Part 4 of
26 the Penal Code.

27 (5) One hundred thousand (\$100,000) to pay for
28 administrative costs of carrying out the purposes of Title
29 11 (commencing with Section 14300) of Part 4 of the
30 Penal Code. The Office of Criminal Justice Planning may
31 award ninety-four thousand dollars (\$94,000) of this
32 amount to the California District Attorneys' Association
33 to carry out Sections 14306 and 14307 of the Penal Code.

34 SEC. 3. It is the intention of the Legislature that
35 subsequent appropriations to carry out Title 11
36 (commencing with Section 14300) of Part 4 of the Penal
37 Code be made as part of the annual Budget Act.



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

1801 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

January 7, 1987

PUBLIC NOTICE

SUBJECT: Notice of POST Commission Committee Meeting

In accordance with the Open Meeting Laws of the State of California, you are hereby notified of the following POST Commission Committee meeting to be held at:

Hyatt Islandia
1441 Quivira Road
San Diego, California
(619) 224-1234

Wednesday, January 21, 1987 - 1:30 p.m. - Dolphin Room

The Ad Hoc Command College Committee will consider the issue of which law enforcement groups should be permitted acceptance into the POST Command College.

Memorandum

to : Command College Ad Hoc Committee

Date : January 8, 1987

From : Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training

Subject: Command College Eligibility Report

Issue

The Commission instructed staff to prepare a study revealing how many persons might be eligible to apply for the Command College under revised guidelines. Staff was directed to also provide information on costs, cost recovery, and related issues.

Background

The Commission has approved several guidelines for those law enforcement executives and senior managers who are eligible to apply for admission to the Command College. The present guidelines establish the following agencies as being eligible to apply: All municipal police and sheriffs' departments; all other reimbursable agencies; and the California Highway Patrol and the Department of Justice - Division of Law Enforcement (the only non-reimbursable agencies eligible). None of the eligible agencies pay a tuition.

Since the inception of the Command College in January 1984, 267 applicants have participated in the assessment center selection process. A total of 150 were accepted plus 25 chiefs of police.

The Command College was originally designed to meet the futures needs of local law enforcement. Several case studies and numerous group activities relate to police and sheriff departments. Although many of the subjects are generic in nature, no specific areas have been designed for state or specialized agencies.

The Commission annually approves a contract designed to cover the costs of the Command College and executive training presented by POST staff. The below costs for the Command College do not include POST staff time, materials, or office space. The costs cover the total 2-year program which consists of 9 workshops and the independent study project completed by each student. The below costs are per student.

	Per Student
Faculty	\$ 2,600.24
Planning Committee	76.24
Site Costs (Cal-Poly)	255.27
Independent study project committee	123.89
Independent study project advisory meeting	70.83
Independent study project grading	60.54
Independent study project student advisor	47.89
Student project salary reimbursement (22 days) \$2,970; per diem/travel \$595	Total - 3,565.00
Student salary reimbursement for 9 workshops (average captain)	6,384.51
Student per diem and travel to and from workshops	5,519.69
	<hr/>
	\$18,704.10
Less Total Salary	9,354.51
	<hr/>
Total Costs Without Salary	\$ 9,349.59

If a tuition is adopted for non-reimbursable agencies, the amount would be \$3,235.39.

A study was completed of all non-reimbursable agencies in the POST program. (See attached report) Excluding the CHP and DOJ, there are presently 42 agencies with a total of 260 executives and managers who would meet the reimbursable agency guidelines for admission to the Command College. Twelve of the agencies do not have a law enforcement executive in charge. In addition, the two non-reimbursable agencies eligible for the Command College (CHP and DOJ) have a total of 298 executives and managers who meet the guidelines for admission to the Command College.

Analysis

We do not know how well the specialized agencies would do in the Assessment Center process. The Assessment Center and the filling out of the application both have a reputation of being fair but difficult to complete. There is an unanswered question as to the ability of state agency law enforcement personnel to compete in a process primarily designed for local agencies.

The state agency executive who prompted this study has indicated he doesn't intend to apply for the Command College, but felt there existed an unfair policy that he felt should be challenged.

Both the average costs of travel and per diem (\$6,113.00 per student) and the cost of a tuition (\$3,235.39 per student) for a potential total cost of \$9,348.39 per student would probably receive a negative response for those non-reimbursable agencies desiring to participate in the Command College.

The only training program that might compare with this issue is the Executive Development Course. In the two-year period from July 1, 1984 through June 30, 1986, 224 executives and senior managers attending the Executive Development Course. Only 14 were from specialized agencies. Of these, 9 were reimbursable and 5 were non-reimbursable. Each agency must pay for per diem and travel and a \$703.00 tuition for the 80-hour course. We have not determined if the high cost of non-reimbursable training keeps state agencies away.

In considering the issue of opening the Command College to all specialized agencies in the program, the following key questions arise:

1. Is content of the program designed so that it would benefit specialized agencies?
 - o All leadership training is useful to participants. But because of the emphasis on local issues in the Command College, the curriculum might not develop state agency managers as it does local managers. The emphasis could be on generalized training which defeats the purpose of the program.
2. Can decisions which made the CHP and DOJ eligible be sustained if other specialized agencies are denied?
 - o Both the CHP and DOJ have become closely aligned with local law enforcement through such programs as radar control, hazardous materials issues, local (DOJ) scientific laboratories, and DOJ narcotic enforcement programs. Other state agencies have more specialized roles.
3. Should a tuition be charged to non-reimbursable agencies?
 - o Due to the high costs of per diem/travel and a \$3,235.39 tuition, specialized agencies would need budgeting for approximately \$9,350.00 for each student attending the Command College. Very few avail themselves of the Executive Development Course at a much lower cost.

The CHP and DOJ do not pay a tuition for the same reasons stated in question #2. (Their closeness to local law enforcement.)

4. If all specialized agencies are made eligible, should admission of reimbursable agencies be given preference in a priority scheme?
 - o With the April 1987 Assessment Center, POST staff will probably establish a waiting list for Command College classes commencing in 1988. The FBI National Academy now costs local and state agencies three months' per diem and travel where before the program was "free." This probably has caused a new interest in the Command College as a "cheaper" way to receive executive training. Because the two programs are so different, they really can't be compared. Present reimbursable agencies should have a priority if all agencies are eligible.

Eligibility Alternatives:

1. Let all agencies in
2. Hold line where it is.
3. Change policy and admit no non-reimbursable agencies in (including CHP and DOJ)
4. Continue to evaluate individual non-reimbursable specialized agencies requests on a case-by-case basis
5. Commence accepting applications from all specialized agencies on a pilot basis and re-evaluate annually to determine whether restrictions should be considered

Tuition Alternatives:

1. Charge no tuition
2. Charge a tuition to cover direct costs only
3. Charge a tuition that covers direct and indirect costs

SPECIALIZED AGENCIES NOT PRESENTLY AUTHORIZED
TO ATTEND POST COMMAND COLLEGE

<u>SPECIALIZED AGENCY NAME</u>	<u>NAME OF CONTACT PERSON</u>	<u>MANAGEMENT & EXECUTIVE POSITION TITLES</u>	<u>SUPERVISORY POSITION TITLES</u>
<u>State Agencies:</u>			
Alcoholic Beverage Control (Personnel)		1 - Director 1 - Deputy Director 2 - Assistant Directors - Field 4 - Deputy Division Chiefs 19 - District Administrators	
Attorney General's Medi-Cal Fraud Unit	Ch. Mark Gregson	1 - Chief Investigator	Supervising Investigator
Consumer Affairs, Bd. of Dental Examiners	Ch. Larry Ballard	1 - Chief Investigator	
Consumer Affairs, Bd. of Medical Quality Assurance	Dep. Ch. John Martinez	1 - Chief Investigator 2 - Deputy Chief Inv.	
Consumer Affairs, Div. of Investigation	Ch. Duane Lowe	1 - Chief Investigator 1 - Deputy Chief Investigator	Supervising Investigator
Department of Developmental Services	Sup. Inv. Richard Pedraza	0	Supervising Investigator
Fire Marshal, Arson and Bomb Investigation	Ch. Fred Strayhorn	1 - Chief Investigator	
Fish and Game, Dept. of	Ch. DeWayne Johnston	1 - Chief 8 - Deputy or Regional Chiefs 25 - Captains	Lieutenant
Forestry, Department of	Ch. Tim Huff	1 - Chief Law Enforcement Officer	1 - Division Chief

Health Services, Audits and Investigation	Carla	1 - Deputy Director	
Health Services, Food and Drug	Ch. Stuart Richardson	1 - Branch Chief 2 - Section Chiefs 3 - Regional Administrators	
Insurance, Dept. of, Fraud Investigations	Ch. Clarke Walker	1 - Bureau Chief 1 - Chief Investigator - (Supervising Special Agent II)	Supervising Special Agent I
Mental Health, Dept. of	Gary (Personnel)	0	Supervising Special Inv. I
Motor Vehicles, Dept. of	Mike Vega	1 - Director 1 - Deputy Director 1 - Chief 2 - Deputy Chiefs 10 - Supervising Special Investigator II	Supervising Special Inv. I
Office of Emergency Services	Ch. Bob Hill	1 - Chief Coordinator	Deputy Chief (Sr. Coordinator
Parks & Recreation, Dept. of	Ted Reinhart	21 - Ranger IV 6 - Ranger III 7 - Manager IV 32 - Manager III 18 - Manager II 10 - Manager I 1 - Lifeguard Supervisor III 3 - Lifeguard Supervisor II	Ranger II Lifeguard Supervisor I
Social Services, Dept. of	Ch. Fred Lacey	1 - Chief Investigator	
State Fair Police	Ch. Robert Chilimidos	1 - Chief 1 - Lieutenant	Sergeant

State Police	Larry Maher	1 - Chief 1 - Chief of Staff (Deputy Chief) 6 - Commanders 3 - Captains 17 - Lieutenants	Sergeant
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Local Agencies:

Amtrack Police Department	Sgt. Juranits	1 - Captain 1 - Lieutenant	Sergeant
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Atchison, Topeka, and Sante Fe Railroad	Assist. Ch. Pat Carter	1 - Assistant Chief 1 - Deputy Chief 4 - Division Superintendent of Police	
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Humboldt County Dept. of Welfare		0	
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Lake Hemet Municipal Water District		0	Ranger
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Lawrence Berkeley Laboratory	Ch. Ken Sebrell	1 - Chief	
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Los Angeles City Housing Authority Police Dept.	Mr. Opdenaker	1 - Chief	Lieutenant
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Los Angeles Community College District Safety & Police	Capt. Mays	0	Captain
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Los Angeles Harbor Dept.	Port Warden Ed Henry	1 - Port Warden 1 - Chief Deputy	
Marin County Coroner		0	Assistant Coroner

Mariposa County District Attorney		0	
Oceanside Small Craft Harbor District	Sgt. Polder	0	Sergeant

Orange County Arson Investigation Unit	Karen Jenny	1 - Fire Chief	Battalion Chief
Orange County District Attorney, Welfare Fraud Investigations	Ed Kovac	0	Senior Investigator
Sacramento County Coroner	Bob Powers	1 - Chief Deputy	
Sacramento County Social Welfare Department	Norma	1 - Chief Investigator	Senior Investigator
San Francisco Airport Commission Police	Sgt. Gary Weber	1 - Chief 1 - Deputy Chief 2 - Captains 8 - Lieutenants	Sergeant
San Francisco Public Utilities Commission	Frank	1 - Chief	Deputy Chief
San Jose Airport Police	Ch. Robert Ashley	1 - Chief	Sergeant
San Luis Obispo Airport Police	Trudy	0	
Sonoma County Social Service Department	Karen	0	Chief Investigator
Southern Pacific Railroad Police	Ch. Special Agent Barnett	1 - Chief Special Agent 1 - Assistant Chief Special Agent (2 more outside CA, but commissioned in CA) 3 - Captains	Lieutenant
Sutter County District Attorney		0	
Union Pacific Railroad Security	Director G. W. Sherman	2 - Supervising Special Agent I	Supervising Special Agent II

Total Agencies: 42
Total Management and Executive Positions as of 11-4-86:

260

SPECIALIZED AGENCIES AUTHORIZED
TO ATTEND POST COMMAND COLLEGE

<u>SPECIALIZED AGENCY NAME</u>	<u>NAME OF CONTACT PERSON</u>	<u>MANAGEMENT & EXECUTIVE POSITION TITLES</u>	<u>SUPERVISORY POSITION TITLES</u>
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State Agencies:

D0J, Div. of Law Enforcement,
Investigation & Enforcement

Karen - Director's Office

1 - Assistant Director
3 - Bureau Chiefs
3 - Assistant Bureau Chiefs
16 - Special Agent IV

Special Agent III

Highway Patrol

Personnel

1 - Commissioner
1 - Dep. Commissioner
2 - Assistant Commissioner
13 - Deputy Chiefs
20 - Assistant Chiefs
71 - Captains
167 - Lieutenants

Sergeants

Total Agencies: 2

Total Management &
Executive Positions
as of 11-4-86:

298

Commission on Peace Officer Standards and Training
Advisory Committee Meeting
Hyatt Islandia Hotel - Dolphin Room
San Diego, California
January 21, 1987, 10 a.m.

AGENDA

Call to Order and Roll Call	Chair
Approval of Minutes of Previous Meeting	Chair
Announcements	Chair
Commission Liaison Committee Remarks	Chair
Sub-Committee Report - Hazardous Materials Training	McKeown
Sub-Committee Report - State Accreditation	Pearson
Commission Meeting Agenda Review	Staff
Advisory Committee Members Reports	Members
Open Discussion	Chair
Adjourn	Chair

**COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

1601 ALHAMBRA BOULEVARD
SACRAMENTO, CALIFORNIA 95816-7083

POST ADVISORY COMMITTEE MEETING

October 22, 1986

Griswold's Inn

Claremont, California

MINUTES**CALL TO ORDER**

The meeting was called to order at 10 a.m. by Chairman Mike Sadleir.

ROLL CALL OF ADVISORY COMMITTEE MEMBERS

Roll was called.

Present were: Michael Sadleir, Chairman, Specialized Law Enforcement
Carolyn Owens, Vice-Chairman, Public Member
Don Brown, Calif. Organization of Police and Sheriffs
Ray Davis, Calif. Peace Officers' Association
Barbara Gardner, Women Peace Officers' Assoc. of California
Derald Hunt, Calif. Assoc. of Administration of Justice
Educators
Ron Lowenberg, Calif. Police Chiefs' Assoc.
Joe McKeown, Calif. Academy Directors' Assoc.
Bill Oliver, California Highway Patrol
Jack Pearson, State Law Enforcement Management
William Shinn, Peace Officers' Research Assoc. of Calif.
Gary Wiley, Calif. Assoc. of Police Training Officers

Absent were: Ben Clark, Calif. State Sheriffs' Assoc.
Mimi Silbert, Public Member
J. Winston Silva, Community Colleges

Commission Advisory Liaison Committee Members present:

Commissioner Edward Maghakian, Chair
Commissioner Glenn Dyer
Commissioner Carm Grande
Commissioner Alex Pantaleoni

POST Staff present:

Norman Boehm, Executive Director
Don Beauchamp, Assistant to Executive Director
Ted Morton, Bureau Chief, Center for Executive Development
Hal Snow, Bureau Chief, Training Program Services
Imogene Kauffman, Executive Secretary

APPROVAL OF MINUTES

MOTION - McKeown, second - Shinn, carried unanimously to approve the minutes of the July 23, 1986 Advisory Committee Meeting in San Diego.

ANOUNCEMENTS

Chairman Sadleir announced that this would be the last Advisory Committee meeting for Sheriff Ben Clark and Commissioner Glenn Dyer. It was stated that it had been a pleasure working with them and they were wished the best.

COMMISSION LIAISON COMMITTEE REMARKS

Commissioner Maghakian stated that he appreciated very much the Advisory Committee's assistance to the Commission.

COMMISSION ASSIGNMENT DISCUSSION

Advisory Liaison Committee Chairman, Commissioner Maghakian, in opening discussions on the four assignments given to the Advisory Committee by the Commission at the July 24, 1986 Commission meeting, advised that it was the Commission's feeling that the issues are vital and should have the input of the full Advisory Committee with respective recommendations to the Commission. Commissioner Pantaleoni stressed the importance of receiving input from the associations being represented on the Advisory Committee. It was stated that the sense of the Commission was that the procedure be kept as simple and effective as possible in reflecting the resource talents of the Advisory Committee.

- Substance Abuse in Law Enforcement

Gary Wiley reported on the discussion of substance abuse in law enforcement which took place at the special meeting on September 30. There was further discussion, and the following motion was made:

MOTION - Wiley, second - Shinn, carried unanimously that due to the voluminous nature of the subject area, the recommendation to the Commission would be that POST contract for a Management Fellow to put together a reference document that would cover the overall totality of substance abuse in law enforcement and that would identify what is being done and what information is available to law enforcement.

- Principles and Values

Bill Shinn distributed the materials he had collected which covered principles and ethics in California law enforcement. A synopsis was presented by Ted Morton and Hal Snow which described what is available in POST courses that covers principles and values. It was determined that the topics are more significantly reflected in the Basic Course and in executive training, particularly in the Command College courses. The direction is toward incorporating these concerns as an overlay to all types of training, including the new Criminal Investigation Institute and the Leadership Institute as they come on line. The Advisory Committee was of the opinion that POST is moving

in the right direction and should continue these efforts in the future. No further action on the part of the Advisory Committee is anticipated at this time.

- Hazardous Materials Training

On the issue of reviewing current efforts of the Commission relating to hazardous materials training for law enforcement personnel, following discussion it was felt that a subcommittee should be given the task of developing more information on the topic to ensure a more thorough discussion at the next meeting. The following subcommittee was appointed:

Joe McKeown - Chair
Ray Davis - Member
Bill Oliver - Member
Carolyn Owens - Member
Mike Sadleir - Member

- Accreditation

Although there was some discussion on the issue of statewide accreditation of law enforcement agencies as an alternative to the national accreditation program, following discussion it was felt that this topic was also in need of further review by a subcommittee prior to the next meeting. The following subcommittee was appointed:

Jack Pearson - Chair
Barbara Gardner - Member
Derald Hunt - Member
Ron Lowenberg - Member
Floyd Tidwell - Member

COMMISSION MEETING AGENDA REVIEW

Norman Boehm, Executive Director, reviewed and discussed the Commission meeting Agenda for the October 23, 1986 meeting.

ADVISORY COMMITTEE MEMBER REPORTS

Public Member - Public Member Carolyn Owens reported on having attended the recent CAPTO conference. It was reassuring to see the large attendance at the workshops and to visit with the vendors on the newest training techniques.

Calif. Assoc. of Administration of Justice Educators - Derald Hunt reported that the CAAJE Southern Section meeting is scheduled for November 22 in Huntington Beach at which time the group will make decisions regarding 1987 conference plans, nominations for 1987-88 officers and committee reports.

Peace Officers' Research Assoc. - Bill Shinn reported PORAC will hold its annual conference in Reno on November 5 - 11. One of the major efforts will be the development and review of where PORAC has been and where it ought to go in the next five years -- particularly in legislation. The history of the organization will be one of the major workshops.

Calif. Assoc. of Police Training Officers - Gary Wiley reported on the Training Managers Update Conference October 15-17 in Santa Maria. It was very successful. There was a large variety of good training classes from basic to very complex processes. POST made a presentation on training changes which was very much appreciated. Next year's conference will be in Palm Springs.

Calif. Organization of Police and Sheriffs - Don Brown reported that COPS will be holding a legislative get-together the weekend of November 14 in Monterey. Notices went to most of the labor groups in the State as well as the agencies around and in Monterey who have members of the Senate and Assembly there. They will be talking about where law enforcement is going in the next year.

Women Peace Officers' Association of California - Barbara Gardner announced that the 1st Regional members of WPOA will be holding their fall training conference in Hawaii.

California Highway Patrol - Bill Oliver reported that by January 1987 CHP is going to be able to implement their applicant screening for drugs. They have implemented the physical performance and psychological screening, and the next step will be the drug screening. They are now looking at incumbent screening and trying to develop a statewide policy on "for cause" actions.

Calif. Police Officers' Assoc. - Ray Davis reported that the CPOA conference will be November 16-19 in Monterey.

Specialized Law Enforcement - Mike Sadleir reported that CAUSE had a conference on October 4, but he was not able to attend.

PRESENTATION OF AWARD

It was reported that Ben Clark was out of the State on vacation and was not available to receive the Advisory Committee plaque. It will be presented to him at a future date.

ELECTION OF OFFICERS

MOTION - McKeown, second - Pearson, carried unanimously that Carolyn Owens be elected Chairperson of the Advisory Committee for the upcoming year.

MOTION - Oliver, second McKeown, carried unanimously that William Shinn be elected Vice-Chairman of the Advisory Committee for the upcoming year.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:35.


Imogene Kauffman
Executive Secretary

**CALIFORNIA STATE DEPARTMENT OF EDUCATION****Bill Honig**

721 Capitol Mall

Superintendent

Sacramento, CA 95814-4785

of Public Instruction

August 27, 1986

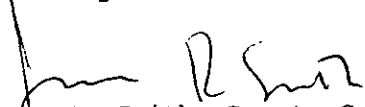
B. Gale Wilson, Chairman
Commission on Peace Officer
Standards and Training
California State Department of Justice
1601 Alhambra Boulevard
Sacramento, CA 95816-7083

Dear Mr. Wilson:

Thank you for your letter of July 31, 1986 in which you included the Commission on Peace Officer Standards and Training job-applicant reading and writing test information. Mr. Honig forwarded your letter to my office as the Curriculum and Instructional Leadership Branch handles the many programs and projects administered within the Department that focus on improving student performance as well as improving the K-12 curriculum.

We appreciate your efforts in sending this information along. I have directed the POST data to the Evaluation and Research Division and they will contact Dr. Boehm if further information is needed. Again, thank you for your interest and concern.

Sincerely,


James R. Smith, Deputy Superintendent
Curriculum and Instructional Leadership Branch
(916) 322-2363

JRS:sr

DEPARTMENT OF JUSTICE

JOHN K. VAN DE KAMP, Attorney General

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING901 ALHAMBRA BOULEVARD
ACRAMENTO 95818-7083

July 31, 1986

GENERAL INFORMATION

(916) 739-5328

EXECUTIVE OFFICE

(916) 739-3884

BUREAUS**Administrative Services**

(916) 739-5354

Center for Executive**Development**

(916) 739-2093

Compliance and Certificates

(916) 739-5377

Information Services

(916) 739-5340

Management Counseling

(916) 739-3868

Standards and Evaluation

(916) 739-3872

Training Delivery Services

(916) 739-5394

Training Program Services

(916) 739-5372

Course Control

(916) 739-5399

Professional Certificates

(916) 739-5391

Reimbursements

(916) 739-5367

Resource Library

(916) 739-5353

Honorable Bill Honig
Superintendent of Public Instruction
and Director of Education
State Department of Education
721 Capitol Mall
Sacramento, CA 95814

Dear Dr. Honig:

Concerns over the perceived deficiencies in reading and writing abilities of newly employed peace officers have existed for some time. In response to these concerns, the Commission on Peace Officer Standards and Training (POST) developed a job-related entry-level selection test battery of reading and writing abilities. These instruments are available for use by local law enforcement agencies free of charge.

The Commission has mandated reading testing (since 1982) and writing testing (since 1984) of all newly employed peace officers. Concurrent with these activities, we have been tracking the reading and writing abilities of entering law enforcement officers for a number of years. The POST test battery has been administered to over 40,000 applicants in the past 3 years, and is now being administered to approximately 15,000 applicants annually. In 1984/85 POST detected improvements in the reading and writing abilities of entering officers, while scores for job applicants declined. In 1986 POST experienced a leveling-off of improvement in scores for entering officers, while the language skills of the job applicants has continued to decrease.

All of this gives us cause for concern. Since high school graduation is a prerequisite to being a law enforcement officer, we thought you would be interested in our data. Our Executive Director, Dr. Norman C. Boehm, mentioned that he spoke with you about this on an airplane recently and that you requested available data. We are pleased to enclose the information to you for evaluation.

Please let us know if these data are helpful or if there is anything else we can do. If you have any questions or comments, please direct them to Dr. Norman C. Boehm, the Executive Director of POST. We look forward to these trends reversing in the near future. We would be pleased to work with you in any appropriate way.

Sincerely,



B. GALE WILSON
Chairman

Enclosure



SCORES ACHIEVED BY JOB APPLICANTS ON
POST READING AND WRITING TEST BATTERY*

	N	\bar{X}	S.D.
FY 1983/84	6446	49.4	13.1
FY 1984/85	5821	48.8**	12.7
FY 1985/86	9073	46.9***	13.2

* Scores expressed as T-scores with \bar{X} = 50 and S.D. = 10;
Norm Group: 480 Academy Cadets tested in 1982.

** Significantly lower than \bar{X} = 49.4 for 83/84 ($p < .01$)

*** Significantly lower than \bar{X} = 48.8 for 84/85 ($p < .001$)